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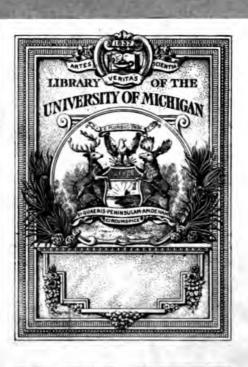
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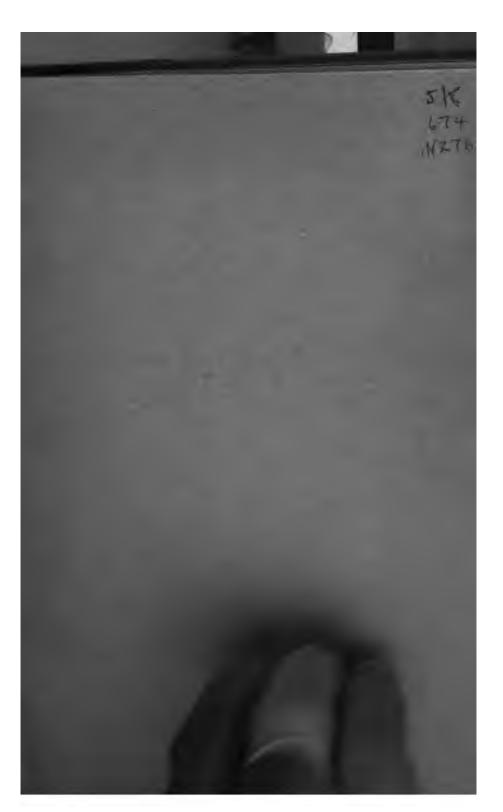
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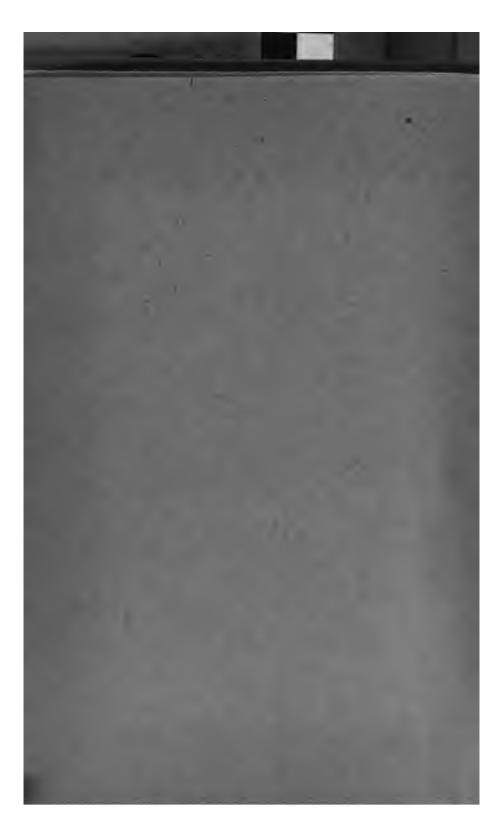
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THE GIFT OF









PROCEEDINGS

AT THE ANNUAL MEETING OF

THE NATIONAL CIVIL SERVICE REFORM LEAGUE

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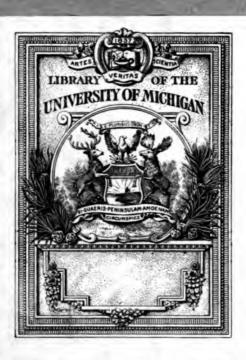
HELD AT

BALTIMORE, MD., DEC. 10 AND 11, 1903.

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

PUBLISHED FOR THE
NATIONAL CIVIL SERVICE REFORM LEAGUE.
NEW YORK.
1903.



THE GIFT OF

5K 674 N27



ANNUAL MEETING

OF THE

NATIONAL CIVIL SERVICE REFORM LEAGUE

DECEMBER 10 AND 11, 1903.

PURSUANT to a call, duly issued, the twenty-third annual meeting of the National Civil Service Reform League was held at Baltimore, Md., on the 10th and 11th of December, 1903. The delegates from Civil Service Reform Associations in attendance during the several sessions were the following:

BUFFALO: Frederic Almy, Ansley Wilcox.

CAMBRIDGE: Richard Henry Dana, Elliot H. Goodwin, Morrill Wyman, Jr.

CINCINNATI: Joseph C. Butler.

CONNECTICUT: Professor Henry W. Farnam.

DISTRICT OF COLUMBIA: John Joy Edson, F. L. Siddons, Henry H. Glassie.

INDIANA: Harry J. Milligan, William Dudley Foulke.

MARYLAND: Daniel C. Gilman, Charles J. Bonaparte, Philemon H. Tuck, H. Barton Jacobs, John F. King, George A. Pope, G. Lane Taneyhill, Benjamin B. Owens, Thomas E. Carson, William Reynolds, Summerfield Baldwin, Fabian Franklin, Arthur P. Shanklin, H. O. Reik, Edgeworth Smith, Randolph Barton, Thomas S. Baer, Paul M. Burnett, E. N. Brush, S. T. Earle, H. M. Hurd, George Frame, Chas. D. Fisher,

Richard D. Fisher, G. W. Gail, H. P. Goddard, J. M. Glenn, H. Irvine Keyser, William Keyser, J. M. Lawford, Joseph C Mullin, Theodore Marburg, Alfred S. Niles, Joseph Packard, John C. Rose, Ira Remsen, George W. Sadtler, Joseph S. Shefloe, Samuel Rauck, W. Burns Trundle, William Winchester.

Women's Auxiliary of MARYLAND: Charles J. Bonaparte, Mrs. Summerfield Baldwin, Mrs. Murray Brush, Mrs. Benjamin W. Corkran, Mrs. J. Hough Cottmann, Mrs. Thomas Carey, Mrs. Cary, Mrs. Dulin, Mrs. Frame, Mrs. Reuben Foster, Mrs. Fowler, Miss Alice Gilman, Mrs. Griswold, Mrs. G. W. Gail, Mrs. Hull, Miss Hall, Miss Elizabeth W. Hall, Mrs. Thomas Hill, Mrs. Manson Smith, Mrs. Kilpatrick, Miss Frances Kerr, Mrs. Keyser, Mrs. Kerr, Mrs. Manning, Miss Katharine Minor, Miss Scudder, Mrs. James Thatcher, Miss Thatcher, Mrs. Jackson, Mrs. John C. Rose, Mrs. H. O. Reik, Miss Steele, Miss Sadtler, Mrs. Van Sickle, Mrs. George Huntington Williams, Mrs. John R. Long, Mrs. Joseph T. Lawton, Mrs. Benjamin B. Owens, Miss Florence P. Sadtler, Mrs. Catherine L. Seth, Mrs. John J. King, Mrs. Samuel D. Schumacker, Miss Mary S. Hall, Mrs. Richard Gundry, Jr., Mrs. Edward C. Landell, Miss Flora Pollack, Mrs. Wm. M. Powell, Mrs. George French, Mrs. H. F. Going, Mrs. A. L. Sioussat, Mrs. Walter Bullock.

MASSACHUSETTS: William W. Vaughan, Samuel Y. Nash, William Simes, Charles S. Thurston, Richard Henry Dana.

WOMEN'S AUXILIARY OF MASSACHUSETTS: Miss Clara B. Adams, Mrs. A. D. Foster, Miss Elizabeth F. Foster, Miss Margaret Norton, Mrs. Ida J. Tapley, Miss N. O. Pevear, Miss Marian C. Nichols, Miss Mabel Cabot, Mrs. William W. Vaughan, Mrs. Caroline H. Dall.

MISSOURI: A. O. Harrison.

NEW YORK: Lawrence McKeever, Samuel H. Ordway, George McAneny, Everett P. Wheeler, Henry W. Hardon, Willis Munro, James B. Reynolds, Wm. Jay Schieffelin, A. Jacobi, A. S. Frissell, Carl Schurz, Elliot H. Goodwin, Henry G. Chapman, A. Ralph Serven, Edward M. Shepard.

WOMEN'S AUXILIARY OF NEW YORK: Mrs. Charles MacVeagh, Mrs. C. R. Lowell, Miss Lowell, Miss Anna E. H. Meyer, Mrs. George McAneny, Miss Agathe Schurz, Miss Emily L. Tuckerman.

PENNSYLVANIA: Caleb J. Milne, William Kirkbride, James Denton Hancock, Neville B. Craig, Charles Richardson, Mrs. Charles Richardson, R. Francis Wood, J. O. Ulrich, Clinton Rogers Woodruff, Mrs. Woodruff, John B. Roberts, Mrs. Roberts, Robert D. Jenks, Stuart Wood, A. R. Montgomery, Miss Sarah R. Field, John Field, Porter F. Cope, Mrs. Imogen B. Oakley, Charles Chauncey, James MacAlister, George Burnham, Jr., Mrs. George Burnham, Jr., Miss Burnham, George G. Mercer, Mrs. Mercer, Miss Mercer, W. H. Futrell, Hector McIntosh, E. E. Brown, Andrew Wright Crawford, Charles W. Nevin, Henry T. Newcomb, S. D. Risley.

In response to invitations issued by the League to Municipal Reform organizations, and to other bodies interested in the reform of the civil service, delegates were present from a number of such organizations, as follows:

ARUNDELL GOOD GOVERNMENT CLUB OF BALTIMORE: Mrs. James H. Van Sickle, Mrs. Caroline L. Seth.

ASSOCIATION OF COLLEGIATEALUMNÆ: Emily Young O'Brien.

BOARD OF TRADE OF WASHINGTON, D. C.: John Joy Edson.

BOARD OF TRADE OF WILMINGTON, DEL.: Alfred O. Crozier.

CHAMBER OF COMMERCE OF LOS ANGELES: C. B. Boothe, M. J. Daniels, James McLachlan.

CHAMBER OF COMMERCE OF PITTSBURG: George H. Anderson.

CITY CLUB OF NEW YORK: George McAneny, James B. Reynolds.

CIVIC CLUB OF BERWICK, PA.: Mrs. Alex. C. Jackson.

CIVIC CLUB OF PHILADELPHIA: Mrs. Imogen B. Oakley, Mrs. Charles Richardson, Mrs. George Burnham, Jr., Mrs. Clinton Rogers Woodruff.

CONSUMERS' LEAGUE OF MARYLAND: Miss Alice Gilman, Miss Steele, Mrs. Benjamin W. Corkran.

GOOD GOVERNMENT LEAGUE OF CAMBRIDGE: Richard Henry Dana.

KANSAS CITY CIVIC LEAGUE: Allan O. Harrison.

LEND-A-HAND CLUB OF EARLEY HEIGHTS-ON-SEVERN: Mrs. G. W. Sadtler, Miss M. W. Finley Speers.

MARYLAND STATE FEDERATION OF WOMEN'S CLUBS: Mrs. A. L. Siousset.

MUNICIPAL ART SOCIETY OF BALTIMORE: William M. Ellicott.

MUNICIPAL ASSOCIATION OF CLEVELAND, O.: Harry A. Garfield.

MUNICIPAL LEAGUE OF PHILADELPHIA: Cyrus D. Foss, Hector McIntosh.

NEW YORK STATE FEDERATION OF WOMEN'S CLUBS: Mrs. C. R Lowell.

NORTH CAPITOL AND ECKINGTON CITIZENS' ASSOCIATION: A. Ralph Serven.

PUBLIC EDUCATIONAL ASSOCIATION OF NEW YORK: Miss Emily Tuckerman.

REFORM CLUB OF MASSACHUSETTS: Richard Henry Dana, Samuel Y. Nash.

REFORM CLUB OF NEW YORK: John Martin.

SOCIETY FOR POLITICAL ENQUIRY, MORRISTOWN, N. J.: Augustus L. Revere, C. Franklin Wilson.

TWENTIETH CENTURY CLUB: Richard Henry Dana, William W. Vaughan.

INVITED GUESTS: Hon. Henry F. Greene, United States Civil Service Commissioner; Hon. John R. Proctor, United States Civil Service Commissioner; Hon. Alford W. Cooley, United States Civil Service Commissioner; John C. Birdseye, Secretary of the New York State Commission; Charles S. Fowler, Chief Examiner of the New York State Commission; Hon. Wayne MacVeagh; Hon. Robert Adams, Jr.; Hon. Eugene F. Ware, Pension Commissioner; John T. Doyle, Secretary of the United States Civil Service Commission.

GUESTS OF DELEGATES: Miss M. R. Richardson, Miss M. P. Huston, Mrs. Samuel H. Ordway, Mrs. Harry J. Milligan, Mrs. Henry W. Farnam, A. R. Hussey, C. A. H. Clem, Reuben Foster, E. O. Slack.

MEETINGS OF THE LEAGUE.

THE headquarters of the League during the period of the meeting were at Lyric Hall, corner of Mt. Royal Avenue and Cathedral Street. The proceedings at the several general sessions of the League, commencing on the morning of December 10, were as follows:

FIRST SESSION.

LYRIC HALL.

THURSDAY MORNING, DECEMBER 10.

THE League convened at 11.15 A. M., the President, Dr. Daniel C. Gilman, in the chair.

The minutes of the last annual meeting having been printed and distributed, the reading of the same was omitted.

The Secretary then read the names of delegates who had registered as being present at the meeting.

The President announced that owing to the fact that the reports standing at the head of the programme for the day were not ready for submission the programme would be changed and introduced Mr. Charles Richardson of Philadelphia, who read a paper on "The Need for Greater Efforts and more Effective Methods in Advocating the Merit System." 1

A discussion followed, in which Mr. John Martin, of the Reform Club of New York, recommended that ac-

¹ Printed in full at page 75.

tion should be taken by the League to interest workingmen in civil service reform. Mr. Everett P. Wheeler of New York, and Mr. Richard Henry Dana of Cambridge, also took part in the discussion.

The President then introduced Mr. Richard Henry Dana of Cambridge, who read a paper on the "Merit Principle in the Selection of the Higher Municipal

Officers." 1

The reading of the paper was followed by a discussion,² in which Mr. McAneny of New York, Mr. Richardson of Philadelphia, Mr. Dana of Cambridge, Mr. Wilcox of Buffalo, Mrs. C. R. Lowell of New York and Dr. Gilman took part.

The Chairman announced that the Friday afternoon session would be held in Donovan Room, McCoy Hall, instead of Lyric Hall, as the latter would be required in preparing for the banquet.

Mr. Bonaparte then read the report of the

Council. 3

The report of the Women's Auxiliary to the Civil Service Reform Association of Massachusetts, was read by Miss Marian C. Nichols:

The Women's Auxiliary of the Massachusetts Civil Service Reform Association was formed in January, 1901. Its aim is "to co-operate with the association in its efforts to secure the establishment of a system of appointment and promotion in the civil service, founded upon the principle that public office is a public trust, and that admission to the civil service should depend upon proven fitness; and to advocate all other appropriate measures for securing integrity, intelligence, efficiency, good order, and due discipline in the civil service of the commonwealth and the nation." Its thanks must here be publicly ex-

¹ Printed in full at page 82.

² Printed in full at page 88.

Printed in full at page 51.

pressed to the United States Civil Service Commission, the National League, the Massachusetts Association, the New York Auxiliary, and the Committee on Civil Service Reform of the Massachusetts State Federation of Women's Clubs, and to all others, whether individuals or bodies, who have helped it in these, its first years. We would here record the fact that largely to the thought and to the efforts of Mrs. J. Elliot Cabot, is our existence due, and that however wide-reaching our work may become, it will be but a more fitting memorial to her noble life of un-

wearied work and patriotic devotion.

The Auxiliary now numbers 947 members. It has already six strong branches-in Brookline, Cambridge, Lowell, Lynn, Salem and Worcester, and hopes to form many more. These branches are giving us active help in various ways; such as introducing our pamphlets in the local schools, offering prizes for essays on civil service reform, giving talks on this subject to the school children and holding study classes for their own members. The branches, as well as the Auxiliary, have held frequent meetings. Among the prominent speakers who have been kind enough to address these meetings are: Mr. Bonaparte, Mr. Chaplin, Mr. Dana, Mr. Garfield, Mr. McAneny, Mr. Vaughan, Miss Whittier, Mr. Woodruff and Miss Wooley. The Auxiliary, through its central committee, has also provided speakers for several clubs, and has had many applications for this coming winter.

One of our objects is to oppose congressional or legislative bills inimical to civil service reform "by employment of counsel, by petition and remonstrance, by personal attendance at hearings, and by informing legislators of the opinions of their constituents." The Auxiliary, therefore, joined the Massachusetts Association two years ago in paying the expenses of a representative to Washington to protest against the passage of the Permanent Census Bill, and sent a circular letter to all Massachusetts Congressmen asking them to vote against it. We have also strongly opposed the various bills in the Massachusetts Legislature giving preference to the so-called "Spanish War Veterans." Last year we obtained 1200

signatures to a protest against the impending bill, and the assistant secretary, Miss Nichols, spoke against the measure before the committee on military affairs, to which it had been referred. Since then we have secured the signatures of 58 soldiers of the war with Spain to a petition against any preference, unless other qualifications are equal.

Our chief work, however, is in sending out pamphlets on civil service reform, written respectively by Mr. Cary and Mr. Woodruff, to schools from which we receive assurance that they will be used in some appropriate cause, such as civics. We also circulate for the use of the teacher. Prof. Salmon's able "Syllabus for the Study of the History of Civil Service Reform," published by the Massachusetts State Federation of Women's Clubs. Later we are hoping to send out another pamphlet for younger children. This plan for school work was originated by Miss Foster, with the bold idea of causing the next generation to be equipped with the knowledge and the fervor needed to completely annihilate the spoils system. By this slow building, half in the dark, great things may yet come to pass. Since this work was begun, nearly 50,000 pamphlets have been accepted by about 500 hundred high schools, normal schools and colleges, scattered through every single State and Territory and the District of Columbia. Another educational feature has been the offer of a prize for the best essay on civil service reform, open for competition to students of 27 colleges. Our pamphlets by Mr. Dana and Mr. Vaughan, together with the papers of Mrs. Oakley and Prof. Salmon, have had a wide demand, and have been of special value for distribution at our meetings.

Another work which we now hope to take up is the extending of the civil service law of Massachusetts to positions not yet under its direction, but which, according to the law, can be so covered by request of the proper authorities. We wish to bring these authorities to see the need of making such requests. This work has already been started by one of our branches. In the time deemed wisest, we also mean to strive for a change in the law itself, in order to cause its extension over country services, which at present are not included.

co-operate with the League, the various Asss I our two sister Auxiliaries, the younger of coming us here to-day, and to whom especiall give a hearty greeting.

The report of the Women's Auxiliary to vice Reform Association of Maryland, was se Elizabeth W. Hall:

At an informal meeting of a few ladies on h, 1902, the question arose as to whether th Maryland could give aid to the civil service vement in their own city and State, as had n done by the women of several other States. A this discussion, a committee was appointed w prominent men, members of the Maryland : Reform Association, in order to ascertain tl the subject. The response the committee met st cordial and the plan of forming a "Women "," was so warmly endorsed that two weeks rch 1st, 1902, a general meeting of women civil service reform was called, with the re "Women's Auxiliary of the Maryland Civ orm Association" was organized. During the 12, the energies of the Auxiliary were chiefly the task of interesting the women of Baltin ryland in the movement, resulting in a me 250. Early in 1903, the Auxiliary undertook interesting the community at large, but

ditions in schools where it is enforced, with those in which political influence largely controls the appointment and promotion of teachers—a subject the importance of which can hardly be overestimated. One of these papers was written by Miss Lucy Salmon, Professor of History at Vassar College, and the other by Dr. H. O. Reik, of Baltimore, for the annual meeting of the National Civil Service Reform League, held in Philadelphia, December, 1902. Copies of the pamphlet were sent to the following organizations:

The Baltimore Reform League, the Maryland Civil Service Reform Association, the Women's Auxiliary of the Maryland Civil Service Reform Association, the Arundel Club, including the Good Government Club, the School Commissioners in Baltimore, the County Commissioners throughout the State, the principals and teachers of public schools in Baltimore, including the grammar schools, the Eastern and Western High Schools, the Norma. School, and the Polytechnic Institute, the public schools in 19 counties, the Faculty of Johns Hopkins University, the Faculty and Alumni of the City College, the Faculty and Alumnæ of the Woman's College, the clergy of the city and the newspapers in the city and State. It was thought desirable that they should be in circulation before the spring elections.

In April, 1903, a committee, with Mrs. W. Cabell Bruce as chairman, was appointed for the purpose of interesting the more advanced pupils as well as teachers at the grammar grades in high schools in the city and State in the subject of civil service reform. Four prizes for the best essays on subjects treating of the importance of the merit system in schools were offered by Mrs. W. Cabell Bruce, chairman of the committee. She reports that she met with much difficulty in carrying out her instructions. Two members of the school board, whom she consulted, told her that it would be useless to offer prizes for essays on such subjects in the high schools of Baltimore, first, because, by the terms of the city charter, it is required that the public schools should be wholly out of political influence of any kind, and second, because the pupils of

one of the high schools had already petitioned the school board that no prizes should be offered, of any kind, on the ground that the result would be to excite jealousy among them, and to distract their attention from their general work.

A persevering effort was then made to offer the prizes in the county high schools, but out of the 23 counties in which the offer was made, replies were received from only nine. It was decided to offer five prizes of ten dollars each for the best essays on the following subjects:

I. "The Relation of Civil Service Reform to Post-masters. How are the Postmasters in Your Own Town Appointed?"

II. "The Civil Service Examinations and What They Are."

In all of the counties, however, the presidents of school boards have expressed their willingness to receive bound copies of pamphlets treating of this important subject, and the School Board of Baltimore has also consented to place them in sixty schools. The pamphlets selected are Miss Salmon's "Syllabus for the Study of Civil Service Reform," Mr. Edward Cary's paper, entitled, "The Civil Service—The Merit System—the Spoils System," and Mr. Clinton Rogers Woodruff's paper, "Civil Service Reform."

The Auxiliary has held twelve public meetings in various small towns in the State, with the co-operation of the Federated Clubs of Maryland, who, also, through their Reciprocity Library, have assisted in distributing literature.

The following gentlemen have spoken at our request during the past year: Mr. C. J. Bonaparte, Mr. W. D. Foulke, Mr. Elliot H. Goodwin, Mr. Richard H. Dana, Mr. James Garfield, Prof. Hollander, and Dr. H. O. Reik.

The Auxiliary will again acknowledge that whatever has been accomplished is owing to their constant assistance and interest.

The report for the Women's Auxiliary to the Civil Service Reform Association of New York was read by Miss Anna E. H. Meyer:

Since its last report to the league in December, 1901,

the Auxiliary has continued its activity along the lines which were then but roughly indicated. At that time it was establishing relations with well-organized, important groups of women in different parts of the United States. Now it is making use of the co-operation of these organizations in educating public opinion on the subject of civil service reform, and in forming new and efficient agencies for distributing its educational literature on that subject. Whenever an opportunity has presented the possibility of a connection with a new group of women, this has been made the most of. But, in general, the work of our auxiliary during the past two years has become intensive rather than extensive.

The first organization with which we established relations was that of the General Federation of Women's Clubs. In place of some isolated committees on civil service reform in different State Federations, there is now, owing to the efforts of that committee of the Massachusetts clubs, a strong standing committee of the General Federation. The members of this commitee are women from various parts of the United States, and each member is a sub-committee for a certain locality with the right to ask the State Federations in her section for all the aid she needs. As a result of this plan, there has been a great increase of committees on civil service reform in the separate State Federations.

In New York, a committee was organized eight months ago with Mrs. C. R. Lowell as chairman. It has issued a strong appeal to women's clubs in New York State, and has published in its first annual report suggestions for practical action by individuals and clubs. In co-operation with this committee, the Auxiliary has offered to send a speaker at its own expense to any New York club that will agree to devote at least one meeting during the current year to the merit system. Responses have come from 49 clubs and, through the kind offers of service from reformers in various parts of the State, we shall be able to provide speakers for meetings in about 21 different cities and towns. To further still more the interest of women in its work, the Auxiliary has this year opened its fifth

annual competition to members of clubs in the New York State Federation. It announces seven prizes for essays on "The Merit System as a Business Factor in Public Administration."

In the matter of bringing civil service reform before teachers and pupils in high schools we adopted the plan of the Massachusetts Auxiliary, which has been so successful in that State and elsewhere. Offers were made to send pamphlets free of charge to any principal or teacher who would agree to use them as collateral reading in his United States history and civil government classes. In this way, such pamphlets as Mr. Cary's "The Civil Service-The Merit System—The Spoils System" and Mr. Bonaparte's "What is Civil Service Reform?" have been distributed to high schools throughout New York State and certain institutions in Virginia, Pennsylvania, Alabama, Georgia, Texas, Florida and Tennessee. This fall, the City History Club of New York has agreed to distribute our pamphlets in its classes, which are, however, too limited as to time to allow of any extended study of civil service reform.

In connection with the distribution of pamphlets in schools, the auxiliary opened its third and fourth competition to high school pupils in New York City and Brook-

lyn, and in New York State respectively.

In May, 1902, 16 essays on the "Rise and Fall of the Spoils System in New York State" were submitted from pupils in five of the nine public high schools in New York and Brooklyn.

In May, 1903, 36 essays on "Civil Service Examinations and What They Are" were received from competitors in 18 schools in 13 different cities and towns of New York State.

The prize essays in both cases have become the property of the Auxiliary for use in its educational work.

The Association of Collegiate Alumnae is another organization of women that, during the last two years, has done a great deal towards educating public opinion on the merit system. It is a body of almost 4,000 women, who are graduates of 22 of our most prominent universities and colleges and are grouped in 24 branches. Through appeals to the general association, a special committee

was first appointed to report upon the possible work of the association in connection with civil service reform. On the recommendation of this committee, a standing committee on civil service reform was subsequently formed, with power to appoint such sub-committees as it might desire, to help study the question of the opportunities for trained women in the civil service, federal, state and municipal. It was clearly understood that, at the beginning at least, the work of the general committee was to be purely to secure information, not to urge reform; but a great deal of active reform work has been done by individual branches and members of the association.

In response to an appeal in which we called the attention of the separate branches to the importance of the civil service reform movement, and asked each to devote at least one meeting to a consideration of this matter, we received prompt expressions of sympathy in our work and eagerness to co-operate from the following 12 branches: Chicago, Western New York, Eastern New York, New York City, Connecticut, Rhode Island, Washington, D. C., Western Massachusetts, Detroit, California, Pittsburg and Ohio. Meetings were organized during the winter of 1901-2 in Chicago, Buffalo, New York City, New Haven, Detroit, San Francisco, Cleveland and Pittsburg, and two committees on civil service reform were immediately formed one in Detroit with Miss Fandira Crocker as chairman, and one in Western New York with Mrs. Owen D. Evans, of Buffalo, as chairman. Both committees have done a great deal of efficient work. The Detroit branch, for example, has organized large and small civil service reform meetings. Its members have won the co-operation of patriotic societies and educational organizations, and have introduced the use of over 500 copies of our pamphlets in Michigan schools. Early last winter a new branch was established in Ann Arbor, and the first standing committee appointed was one on civil service reform. committee, under the guidance of Mrs. Joseph Mackley, is working along the same lines as the corresponding committee of the Detroit branch. It has, furthermore, through the co-operation of two Ann Arbor clubs, offered prizes

to high school pupils for essays on civil service reform. Recently committees have also been formed in the branches at Milwaukee and Philadelphia.

In conclusion it can be said that the experience of our Auxiliary shows a steady increase in the responsiveness of the public in general. Where four years ago one reply came to every ten appeals for co-operation, now we are sure of three and sometimes have as many as five.

All of which is respectfully submitted.

The session then adjourned.

PUBLIC MEETING.

McCOY HALL,

THURSDAY AFTERNOON, DECEMBER 10.

AT 4 P. M. a public meeting was held at McCoy
Hall Johns Hopkins University Dr. Daniel C Hall, Johns Hopkins University. Dr. Daniel C. Gilman presided and addresses were made by the Hon. Carl Schurz, the Hon. Alford W. Cooley of the United States Civil Service Commission, and Mr. Samuel H. Ordway³ of New York.

SECOND SESSION.

LYRIC HALL,

THURSDAY EVENING, DECEMBER 10.

AT 8 P. M. the League re-convened at Lyric Hall-Dr. Gilman presided and opened the session with a brief introductory address. Addresses were then made by the Hon. William Dudley Foulke4 of Indiana, the Hon. Edward M. Shepard⁵ of New York, and the Hon. Henry F. Greene, United States Civil Service Commissioner.

¹ Printed in full at page 94.

Printed in full at page 108.

^{*} Printed in full at page 115.

⁴ Printed in full at page 122.

⁶ Printed in full at page 180.

Frinted in full at page 130.

THIRD SESSION.

LYRIC HALL,

FRIDAY MORNING, DECEMBER 11.

THE League re-convened at 10 A. M. at Lyric Hall, President Gilman in the chair.

The President introduced Mr. W. W. Vaughan, who presented the report for the Committee on Nominations, as follows:

,				
FOR PRESIDENT:				
Daniel Coit Gilman,				Baltimore.
FOR VICE-PRESIDENTS:				
Charles Francis Adams,		_		Boston.
Joseph H. Choate,			•	New York.
Grover Cleveland.				Princeton.
Charles W. Eliot,	-			Cambridge.
Harry A. Garfield,				Cleveland.
Arthur T. Hadley,				New Haven.
Henry Charles Lea,				Philadelphia.
C-4L 1				New York.
Franklin MacVeagh,				Chicago.
George A. Pope,				Baltimore.
Henry C. Potter, D. D.				New York,
P. J. Ryan, D. D.,				Philadelphia.
FOR MEMBERS OF THE COUNCIL				•
	•			_
Moorfield Storey, .				Boston.
W. W. Vaughan, .	•		•	44
Richard Henry Dana,				**
Arthur H. Brooks,				Cambridge.
Morrill Wyman, Jr.,	•	•		
William A. Aiken,				Norwich, Ct.
Henry W. Farnam,				New Haven.
Charles C. Burlingham,				New York.
Silas W. Burt, .		•		**
Edward Cary, .		•		**
Charles Collins, .				**
Richard Watson Gilder,		•		**
Henry W. Hardon,				• •
William G. Low,				"
George McAneny,				
Samuel H. Ordway,				••
				••
Carl Schurz,				••
	•			••
Everett P. Wheeler,				••

Henry A. Richmond,				Buffalo.
Ansley Wilcox, .				44
Robert D. Jenks, .			•	Philadelphia.
Charles Richardson,				*
Herbert Welsh,				4.4
R. Francis Wood,			·	
Clinton Rogers Woodr	uff.		·	"
Charles J. Bonaparte,				Baltimore.
H. Barton Jacobs,				**
Dr. H. O. Reik, .				4+
John Joy Edson, .				Washington.
Francis E. Leupp,				"
F. L. Siddons, .				
Charles B. Wilby,				Cincinnati.
William F. Cushing,				**
William Dudley Foulk	e.			Indianapolis.
Harry J. Milligan,				
Lucius B. Swift, .			-	4.
John H. Hamline,	·	·	-	Chicago.
John F. Lee,				"
Henry Van Kleeck,	•	•	•	Denver.
,	-	•	•	

Mr. Vaughan stated that the Committee would have been glad to add to the Council a member from the Pacific Coast, but had been unable to decide on any name, and had therefore referred the matter to the Council

Mr. R. Francis Wood moved that the election be proceeded with and that the Secretary be directed to cast one ballot for the election of the gentlemen nominated for President, Vice-Presidents and members of the Council. The motion was unanimously carried. The Secretary cast the ballot and the President announced the election of the ticket as read.

The Secretary read the annual report of the Treasurer, and Mr. Charles S. Thurston, for the Auditing Committee, submitted the following report:

The Committee appointed to audit the accounts of the Treasurer report that they have vouched the account and find it correct. They find a balance on hand, including one check of \$100.00, not deposited, of \$1,136.29, the amount reported by the Treasurer December 10, 1903.

C. S. THURSTON,
R. FRANCIS WOOD,
Auditors.

¹ Printed in full at page 50.

On motion, the reports of the Treasurer and Auditing Committee were received and ordered filed.

The order of reports from local Associations having been reached, the President called on:

Mr. W. W. Vaughan, for the Massachusetts Association:

The military authorities tell us that one man inside intrenchments is worth at least ten attacking him from the open. We found this to be true in politics as well. We have an admirable civil service law in Massachusetts, and just because we have it we have been very successful in defending it. It is a much better law than we could get to-day, because it was given us by a somewhat innocent legislature many years ago, little thinking what mischief they were doing to the spoilsmen when they passed it. But Massachusetts has always been ready to try experiments in reforms, and they were willing to please a worthy body of reformers by giving them what they asked. To-day, all the smaller men find out how grievously it hampers them in finding places for their henchmen, and it has become extremely unpopular with them. In fact, the reformers have to carry on their work in the legislature with a self-effacement which cannot but be helpful to their moral growth. They are a small body, and would be speedily wiped out, were they not, as I say, inside the intrenchments; but so far, they have succeeded in beating off the attacks of those who would repeal or destroy the law. Repeal, outright, is much desired, but little proposed. It is usually attempted under the disguise of a "Spanish Veterans' Exemption and Preference Act." A few men desire places for themselves and friends, and many men desire to use it as a club to beat the reformers. The result is, year after year, very close and dangerous work, but I am thankful to say that each year the attack has been feebler. One year, it was saved only by a Governor's veto; the next by a close fight in the House; the third, it was beaten in the committee, although it came up again in the House on the minority report, and received a painfully large vote.

I do not wish to be disloyal to the legislature of my own State, but when we find two men, both named Curley, personifying applicants at a civil service examination, writing their papers for them, and carrying the fraud through successfully, until finally detected, indicted, and convicted, and yet, in spite of this, one of them triumphantly nominated and elected to the legislature, we see that even in Massachusetts we have certain elements that do not fall far behind the supporters of Sam Parks.

But the work of the men has been chiefly on the defensive. The women have carried the attacks into the enemy's country. They have waged war on the spoils system in nearly every State of the Union, with their pamphlets, and they have also kept up a good and vigorous fight at home wherever an opportunity offered. But they have made their own report, and it is obviously unfair for me to touch on it, save to express the gratitude which we must all feel to them, and which I am very glad to have this opportunity to express.

Mr. William Reynolds, for the Maryland Association:

This may be called an off year for the Civil Service Reform Association of Maryland, and in explaining why it is an off year I think I can give you a pretty good idea of the present status of civil service reform among us.

In the first place the legislature does not meet this year—we have bi-annual sessions—and not meeting this year we have no good legislation to urge and no bad legislation to oppose. The new legislature will meet next January and probably we will have something to do then.

I will not say anything about the federal civil service, because whatever we do there we do through the League. There have been no cases of any moment where there have been charges of violation of the law in this State that we could take hold of. We find the Civil Service Commission abundantly competent and willing to do whatever is necessary.

Now in State and municipal affairs, we have taken our civil service in broken doses. We have never succeeded

in getting a general civil service reform law, but the merit system has been applied in the city of Baltimore to certain classes of offices. There are three classes to which it applies: First, to the public school system; second, to the fire department; and third, to the police department. When the new school board came into operation under the new charter in March, 1900, it adopted the merit system in the appointment of school-teachers. Prior to this school-teachers were appointed strictly under the patronage system. There was a school board of twentyfour members, one appointed from each ward, and although theoretically the board elected all teachers, in reality the commissioner from each ward appointed the teachers for his ward. It is true that they had a rule requiring a pass examination, but then senatorial courtesy extended so far that whenever the commissioner from any ward had a teacher he wished to appoint, who either could not or would not pass the examination, the rule requiring it was suspended until that teacher was appointed and then it was resumed. Now, since we have had the new school board, everything has been done correctly so far as the merit system has been concerned. Everything has been done with perfect fairness. Only one complaint has been made. That complaint our Association ordered to be investigated. We found that the man who had made the charge anonymously in the newspapers refused to give his name, and the facts alleged in his article had not the slightest foundation; so you can see our Association during the past year has had nothing at all to do in connection with the administration of the public school system. In explanation of this I may say that the school board was a very good one. The president of it was my predecessor as chairman of the executive committee of the Maryland Civil Service Reform Association, and a prominent member was the gentleman who sits on my right and who is presiding over this meeting, Dr. D. C. Gilman.

The next thing we took up was the fire department. In that department there was an examining board appointed, which consisted of the president of the board of

fire commissioners, the chief engineer and one examinerat-large appointed by the Mayor. They have been conducting things there satisfactorily. I believe there has been no occasion in which our Association found sufficient reason to interfere. Last fall, however, a proposition was introduced into the city council to remove from the list of those appointed by competitive examination the superintendent of the fire alarm telegraph. It seems there was some gentleman who thought he had a good deal of influence, political and otherwise, and who had an aversion to competitive examinations, who wanted to succeed the present incumbent. The ordinance passed one branch of the city council, but such a rumpus was made about it that it was withdrawn. Our Association passed a resolution on the subject, but before our resolution was printed the ordinance was withdrawn by the people who had introduced it. The debate which occurred over it was very interesting. Some of the gentlemen, while saying they were not civil service reformers, opposed it because they did not want this community to take any backward steps. Others, on the other hand, took occasion to declare their opposition to "civil service." Now, of course, they did not expect to be taken literally, because that would have meant that they either wanted the community put under martial law or entirely under ecclesiastical supervision! The idea they wished to convey to their constituents probably was, that they were opposed to any reforms in the civil service which would tend to remove it from the spoils system.

The only other branch of the public service to which the merit system has yet been applied is the police. In regard to the police department we had an act passed by the legislature which provided a board of examiners. They made out an eligible list by competitive examinations and the law required them to make nominations for appointments to be passed on by the commissioners—to make these nominations from the list of eligibles in the order in which they stood. Now it occurred to the commissioners that they would like to have the whole list before them at one time, so they could take their

pick out of them and they communicated this wish to the examiners and added that, as the law did not say how many nominations the examiners should make at one time, they would like them to nominate the entire eligible list, which the board of examiners obligingly did. They had a list of 290 eligibles and had only 20 men to appoint, so they nominated the whole 290 and let the commissioners take their pick from them, whether on local, polical, personal or any other grounds. We took the matter up before the courts, but the courts said they had a right to do this under the terms of the statute. You will see, however, that this scheme would only work when the commissioners and examiners were in collaboration. The commissioners did not know how long they could hold the examiners, so they had an act presented to the legislature requiring that examiners in all cases should nominate to them the whole list of eligibles at once, and we got an act before the legislature which provided that the examiners should only nominate as many candidates as there were vacancies to be filled. Neither act passed, and therefore things remain in statu quo, but as long as we have the present board of commissioners and the present board of examiners I do not think it worth while for us to talk to them and urge upon them the propriety of administering the law in a different way. However, at the next session of the legislature there will be a new board of commissioners and a new board of examiners appointed, and we will see what we can do with them This, I think, about covers the ground.

Professor Henry W. Farnam, for the Connecticut Association:

The Connecticut Association has devoted itself during the past year mainly to a study of local examinations, both federal and municipal. Federal examinations, especially for clerical positions in the post-offices and custom houses, are held at not infrequent intervals in the principal cities, and representatives of our Association have been present at such examinations in Hartford, Bridgeport, Waterbury and New Haven. The curious fact was brought out in connection with the examinations in New Haven that the Federal Government was too poor to provide a proper examination room. The authorities consequently applied to the president of the Connecticut Association, who, being connected with Yale University, was able to secure the gratuitous use of one of the large examination rooms in the Sheffield Scientific School for this purpose. While Yale University is always glad to help the Government to the extent of its ability, it hardly seems a good principle that the Government should be obliged to call upon volunteer help for the carrying out of one of its most important functions.

In the spring of the year, a special committee of the Connecticut Association, consisting of Clarence Deming, Charles S. Pickett and Henry W. Farnam, was appointed to inquire into the workings of the Municipal Civil Service Board of New Haven. This committee made a careful scrutiny of the books, examination papers and records of the Board, and also made personal inquiry of the heads of the principal city departments with regard to the effect of the civil service system upon the quality of the city employees. The results of this inquiry were in brief to show that on the whole the Civil Service Board was performing its duties well, and that the general effect had been to greatly raise the standard of appointees, especially in the fire and police departments, which are the most important in a city of the size of New Haven. While this investigation brings out nothing of national interest, it is important locally, because New Haven is the only city of the State which has thus far introduced any kind of a civil service examination, and there still prevails in many of our towns a surprising ignorance with regard to the purposes and results of the system.

At the request of the President, Hon Everett P. Wheeler took the chair, and called upon

Mr. Morrill Wyman, for the Cambridge Association:

Among other things we have paid our annual dues for the year and subscribed for Good Government, to be sent to all our members, and also to libraries and several reading rooms. We have our annual fight in the legislature, as Mr. Vaughan just described to you. The Civil Service Reform Associations, together with other reform associations, with good government associations, with chambers of commerce committees and others, have all fought hand in hand against the dagger which is being thrust in the dark into the civil service law by soldiers' exemption bills and the like. In Cambridge we have had a mayor who has stirred us up a good deal—he has turned out many men and appointed few good ones. The men nominated were as a rule small contractors, whose appointments had to be confirmed by the Board of Aldermen, and who therefore did not come under the civil service law. There were a few other cases, mainly in the police department, but they were looked after by the State, and it seemed better that the Association should not intrude when the proper authorities were looking after it and looking after it well.

Mr. Ansley Wilcox, for the Buffalo Association:

From the Buffalo Association there is not much to report during the past year in the way of distinct progress, but we have been holding our own under circumstances which temporarily seem to be unfavorable, and are keeping up the struggle for a permanently good civil service based on the merit principle. Our local work covers both the city and the county service.

In the city of Buffalo we have been working along through the second year of Mayor Knight's administration under a set of rules and classifications which are in the main good. They ought to be ideal from our point of view, as they were made at the last revision substantially to suit ourselves. In fact the classifications in some respects went beyond our suggestions. They were made to include in the competitive class such high offices as the executive heads of the Police Department and Fire Department, and the principal deputies in the bureaus of engineering, streets, water and buildings, the four great bureaus in the Department of Public Works. The latest statistics, in 1901, show that in the city 89 per cent of the positions were in the classified service, and over 84 per cent were in the competitive class.

But there has been constant trouble, more or less serious, in the details of administration, and in making the system work out practically good results, promptly, and in such a way as to command public confidence. These are the problems to which we have got to devote ourselves, and I believe that they are the serious problems in all cities where the reform system has been once established.

Buffalo had, until two years ago, a peculiar City Civil Service Commission, consisting of fifteen unpaid members. The theory of this was to make it a large and representative body, and so to subdivide the work that it would not be too onerous for the individual members, and to save the expense of paid clerks and examiners. At first the city council refused to appropriate any money for the execution of the civil service law, but they were compelled by litigations to recognize their obligations in this regard, and were finally made to appropriate a small sum, sufficient to cover rent and stationery and the salary of a secretary, and afterwards of a stenographer. This is all that they have ever done by way of financial support for the City Commission. The large unpaid Commission worked fairly well in the early stages when the labor was less, but the work grew beyond their powers and it became an unweildy body. Before Mayor Knight came into office two years ago, he promised to enforce and uphold the merit principle in the civil service. After consultation with us he reduced the Commission in numbers from fifteen to seven, still unpaid, and allowed us to nominate three members of this Commission, promising to appoint four other good men to work with them. At our suggestion he appointed three good men, experienced workers in civil service reform, of whom one has since been dropped, but most of the other members of the Commission have not been of equal caliber, and some have been far from suitable men. This has produced, at times, discord and confusion, some delay, and results not always satisfactory. The understanding that this smaller Commission was to be aided by a sufficient clerical and examining force, has never been carried out. Therefore the Commission will soon be overwhelmed with work. When they have to hold the large police and fire examinations, which have not yet occurred, they will simply be swamped. A crisis is sure to occur soon, and then we hope that a better condition of things will be evolved. What we need here, as everwhere else, is a mayor or chief executive who really believes in the merit principle, and is determined to make it produce the good results of which it is capable.

In the meantime, in spite of defects of detail, the system is recognized as a vast improvement upon the old spoils system, and public opinion is strongly in favor of it. The great body of clerks and ordinary employees are appointed without friction from the eligible lists. The labor registration is working fairly well. Though we have not attained our ideals, we feel that the advance which has been made is a marked achievement.

Erie County, which embraces the city of Buffalo, is one of the four large counties in the State of New York which have been brought under the civil service law and rules by the action of the State Commission and the Governor. In June, 1900, the county service was first classified, and the classification was made as extensive as was practicable for a beginning. Since then, however, there has been no advance, and some undesirable exemptions have been allowed. The administration of the county civil service, through the State Commission at Albany, is working at long range and is rather a complicated plan. But the politicians, after some struggles, have finally become used to the idea that the clerical force in the offices of the County Clerk and County Treasurer, and in institutions like the almshouse and penitentiary, and generally throughout the county service, is no longer open to political raids; and again we can say that, though much remains to be done before perfection is attained, the conditions are already far better than they were before the classification was made and the county service was brought under the merit system.

Mr. Harry J. Milligan, for Indiana: The Federal civil service law during the last year, so far as we can learn, has been well observed in Indiana. A year or two ago the Postmaster of Indianapolis, Gen. McGinnis, a veteran of the Civil War, had conferred upon him without his solicitation and very much to his annoyance, a private secretary. The secretary had no function to perform that any one could discover except to draw his salary of \$2,500. Now this secretary was the father-in-law of a man very high in office in the United States; what connection there was between this relation and this appointment is purely a matter of conjecture. I am happy to say that the pressure was too great and the private secretary recently resigned. This was a clear case of the office seeking the man.

We have no State civil service law in Indiana. Mississippi valley, that vast empire from Pittsburg to Denver, which now largely controls and is destined ultimately to direct the political life of the United States, has scarcely a State or municipal civil service law. city in that region has its municipal troubles and the towns are rare indeed where local affairs are properly managed. Practical and reflecting men of business and men in politics have said to me that municipal government in the United States is a failure and can never be anything but a failure so long as we have universal suffrage. Such opinions are given not for publication, but for private consumption only, but they evidence the widespread discouragement and dissatisfaction with the existing conditions. Just before coming here, I went to attend the funeral of a relative, a lawyer, who last week was shot by highwaymen near his home in Chicago. I am not a pessimist-I understand a pessimist is one who has the choice of two evils and takes both—but the conditions in some places, notably in Chicago, are unbearable, and there must be some relief. It is idle to talk about anything but universal suffrage, and the American people must learn to manage their local affairs efficiently and economically without departing from our theory of government, but by modifying its application. Appointment to such offices for personal reasons and without regard to fitness or merit and the uncertainty in tenure of office are responsible for a great deal of our

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local bad government. We must correct our system so that a change in the heads of a city government will not disturb efficient men, and we must manage to keep in continuous service men who are thoroughly trained in their departments. In short, the merit system carried to a further extent than in the Federal system would cure most of our local government troubles. In Indianapolis a few years ago, we adopted a charter which gave to the mayor very large powers. When we have a good mayor we have a good city government and when we have a bad mayor we have a poor government. A few weeks ago we voted out a Republican because he gave us a bad government, and put a Democrat in his place, although the city is Republican. These are all hopeful signs. The disposition in local affairs to vote to some extent independently of party lines is growing rapidly. I was very much interested in what was said here yesterday morning, by the reports of Women's Auxiliaries, about the efforts made in Massachusetts and some other States to get before the children and youths in schools and colleges the fundamental ideas in respect to good local government. This is effective work, and if it could be universally done the result in a few years would be marked. The Federal civil service law has not only reformed the Federal service, but it is an object lesson which is being noted and studied by the people, and it points the way to relieve them from their local governmental troubles. This Association has large work to do in keeping a vigilant watch upon the operation of the Federal civil service law, and there is a wide field for interest, energy and enterprise in bringing town and city government out of the distressing conditions which so sorely afflict the American people.

Mr. Robert D. Jenks, for the Pennsylvania Association:

During the past year the Pennsylvania Association has been active along many different lines. In the first place, it has tried to aid the United States Civil Service Commission in securing the enforcement of the Federal civil service law and rules. One striking example of

the violations of the law which are so prevalent in the Philadelphia offices, was shown in the United States Mint in that city. It was discovered that several Democrats, with good records as faithful and efficient employees, had been discharged by Superintendent Landis for insufficient reasons, and their places filled by Republicans known to be active party workers. It was also made clear that the superintendent was neglecting to make appointments to the classified service from the lists of eligibles secured by examinations, but was, on the contrary, filling all vacancies by appointing for such work unclassified laborers who were usually his own personal or political friends. By this system, he was successfully evading the provisions of the civil service rules. The Pennsylvania Association requested the Civil Service Commission to investigate these matters, which it did in a most thorough and satisfactory manner. The Commission then laid the facts before President Roosevelt, who not only administered a severe personal reprimand to Superintendent Landis, but also ordered the immediate restoration of those employees who had been improperly discharged. The result has been that confidence in the administration of the civil service law has been restored in the Mint. It will, however, require constant vigilance on the part of all persons interested in securing the fair administration of the merit system to prevent further and even more dangerous evasions of the law. The Association is also carefully watching the operation of the civil service law and rules in the other large Federal offices.

In the second place, the Pennsylvania Association has been earnest in its efforts to put an end to the pernicious political activity of the Federal office holders. Such activity is detrimental to those interested in pure politics, and most demoralizing to the public service. It is a curious spectacle to see a man, nominally employed as Assistant United States Treasurer in the city of Philadelphia, at the same time acting as chairman of the Republican County Committee of Schuylkill County, one hundred miles away. It well illustrates the attitude of certain persons to the Government service when, as in this case, we read in the daily

newspapers, as an explanation of the failure of the party to secure a large vote, the following: "Some Republicans ascribe the result to the fact that Leib could not give his whole time to the canvass each year, but was compelled to go to Philadelphia several times each week to attend to his duties as sub-treasurer." To put an end to such efforts to control political movements, while living at the expense of the public, is one hope of the Pennsylvania Association. To accomplish this result careful investigations are now being made in several parts of the State.

Pennsylvania has no State civil service act. To secure the passage of a suitable law has been another work for the Association. So far this has not been successful. Now, a vigorous educational campaign is being planned with a view to bringing public opinion to bear upon the members of the legislature, which meets a year hence.

In the charter of the city of Philadelphia exist provisions for the adoption of the merit system in the selection of municipal employees, but these provisions are believed to be practically ignored. The examinations are secret, the records are secret, and the rules are secret. In short, there is no way of finding out whether the examinations are fair or unfair, or whether the papers are properly or improperly rated. It is generally understood that all those who pass are certified at the same time for appointment, and it is evident that a comparatively small amount of knowledge is required to secure a pass mark.

The Association is now discussing these matters with Mayor Weaver, and he has promised to give the whole matter his earnest and careful consideration.

In the time allotted it is impossible to go more into detail with regard to the work of the Association. It is most encouraging to note a generally increasing belief throughout the State in the value of the merit system, and a wider comprehension of the true meaning and worth of civil service reform.

Mr. F. L. Siddons, for the District of Columbia:

I assume that the League wishes merely to hear of what has been done in a distinctly local way at the National Capital. There is not much that is encouraging.

Each year the Association has caused to be introduced in Congress a bill extending the operations of the civil service law to the municipal government of the District. This measure continues to receive the hearty endorsement of the Commissioners of the District, and a year ago it was fortunate enough to have the President make a specific recommendation in its behalf in his annual message to Congress. The Association has also attempted to secure an extension of the law by Executive order to the offices of the Recorder of Deeds and Register of Wills, which are administered on a purely spoils basis. The President referred the matter to the Civil Service Commission, which, after an investigation of the question, determined that both offices formed a part of the judicial system of the District of Columbia. and hence were not within the purview of the civil service law.

Great satisfaction was felt by the civil service reformers in the District with the appointments of Messrs. Foulke and Garfield on the Commission, and they viewed with much regret the subsequent resignations of these gentlemen; but all friends of the movement in Washington are ready to believe that the new Commissioners are devoted friends of the merit principle, and will vigorously carry forward the work of administering the law.

Mr. Henry G. Chapman, for the New York Association:

As usual, the New York Association followed up all bills in the legislature that had any bearing on civil service questions. Eleven bills were introduced to amend the civil service law, all but two of which died in the assembly, where they had originated. Of the two that came before the Governor one was a bill providing that crime committed before the age of 16 should not be a bar to civil employment. The bill was not opposed by the Association, but was vetoed by the Governor on the ground that it was too sweeping in character, and might relieve persons who at the age of 14 or 15 had been guilty of the most reprehensible acts. The other was a bill which, in its final shape, contained a provision giving preference in

appointment to volunteer firemen. This bill was opposed on the ground that such a preference would be unconstitutional, for the constitution gives to veterans of the Civil War a preference which the courts have decided is exclusive. The bill was vetoed by the Governor.

The New York Association, in connection with the Buffalo Association, did much work upon a number of bills which originated with the State Commission, and which were founded on recommendations made by that Commission in their annual report. These bills had in view the bettering of the law in respect, among other things, to the manner in which classifications made by the State Commission might, if objected to, be reviewed. Though much time and labor was spent in framing these measures, they were not ready for introduction until very late in the session, and got no further than their committee.

In the spring, State Commissioner William Miller Collier, president of the Commission, resigned his position to become special assistant to the United States attorney-general, assigned to duty as solicitor of the Department of Commerce and Labor, and in May Governor Odell appointed Mr. Charles F. Milliken, of Canandaigua, to fill the vacancy. Later Mr. Cuthbert W. Pound, of Ithaca, became president.

Two important suits in which the New York Association was interested were decided this year. The one (Letts v. Collier) involved the status of the county officers of Kings County, which were claimed to be exempt from competitive examination on the ground that they were confidential positions. These cases had been begun by a writ of mandamus requiring the State Commission to change its classification, and the Court of Appeals decided that mandamus was not the proper remedy. Though this decision was not on the merits it may properly be regarded as a victory for the Association, for it had the effect of putting an end to the pending litigation. Other suits have since been begun, in which the Association will probably take an active part.

The second case is that of Greene v. Knox, in which suit was brought by Mr. J. Warren Greene, a member of the

Association, as a taxpayer, to restrain the payment of salaries to certain police captains whom the State Commission, in a report based upon a thorough investigation made by the present secretary of the Association, had decided to have been illegally appointed. The Court of Appeals held that since the title of the offices in question was the pivotal point of the case and not incidentally involved merely, quo warranto and not a taxpayer's action was the proper remedy.

In July Mr. William A. Perrine, of the Municipal Commission, resigned his position. Mr. Cornelius Vanderbilt also resigned. Neither of these vacancies has been filled.

The work of the Municipal Commission during the past year has been in some respects more efficient and more satisfactory than it was the year before, and the Commission has sought to remedy a number of the evils which the Association felt obliged to criticise so severely last December. The Association still protests at every opportunity against the large number of exempt positions in the city service, which has steadily increased until those positions now number 700, and also against the practice of the Commission in hearing large numbers of appeals of candidates from the markings of examiners, and of raising the marks of applicants after their identity has become known, a practice which has brought it about that in some cases almost every man who fails to pass an examination files an appeal with the board.

During the last few months the Commission prepared a revision of the municipal rules. The sub-committee of of the Municipal Commission which had charge of this revision availed themselves of the experience of Mr. George McAneny, for so long secretary of the Association and afterwards secretary of the Municipal Commission. A sub-committee of the Executive Committee of the Association spent much time in working over the proposed rules, and while recognizing that the proposed revision was far superior to the old rules, they suggested certain ways in which they believed they might be improved. They presented both oral and written arguments to the mayor, embodying their views. Some of their suggestions were accepted. The

rules were approved by the mayor and sent to the State Commission before which they were advocated as a whole, in view of their general excellence. The State Commission made certain objections, some of them in line with the criticisms made by the Association, and sent the rules back to the City Board to have these changes made. After this was done the rules were again approved by the mayor, as altered, and afterwards by the State Commission, and they have gone into effect.

The Association is much indebted to the members of the Women's Auxiliary for their co-operation and their financial aid, and to Mr. Ansley Wilcox, of Buffalo, Mr. Edward M. Shepard, of New York, and Mr. Samuel H. Ordway, of New York, for their generous services in the legal matters in which the Association has been involved.

The following reports were received, but not read: Iohn H. Hamline, for the Chicago Association:

The greatest difficulty with which the friends of civil service reform have to contend in the city of Chicago is a general distrust of the law caused by the apparent protection given by it to incompetent and dishonest employees.

Shortly after the adoption of the Illinois State Civil Service Law by the voters of Chicago, three of the most eminent, experienced and public spirited men of that city were appointed as the first Civil Service Commission. During their term of office the Commission devoted itself chiefly to perfecting a system whereby the full benefits of the law might be secured. It had little time or opportunity for the examination and certification of employees to the few vacancies that occurred. But within less than a year after the law went into effect, or in April of 1896, a new mayor was elected in the city of Chicago, who has held that office by repeated elections ever since that time. He entered the mayor's office as an avowed opponent of civil service reform and an open advocate of the spoils system. One of his first acts was to remove the commissioners on the alleged ground of incapacity, and to substitute therefor appointees of his own, whose chief aim appeared to be to assist the mayor to instal his own political camp followers in office, notwithstanding, and in defiance of the civil service law as it was enacted. During the next three years there was practically no business transacted in the civil service office save that of filling vacancies—caused by the mayor's clean sweep—through farcical and illegal examinations. As a result thereof probably 60 per cent. of the employers who were put into office possessed neither the mental or moral qualifications for filling such positions. These men have largely retained their positions up to the present time.

Some three years ago and after a majority of the offices had been filled in the manner above described, the mayor, having taken care of his political obligations, threw a sop to the reform sentiment that is ever latent in the city of Chicago, by appointing John W. Ela a member of the Civil Service Commission. The latter, with the help of one other honest commissioner, who had been appointed for the purpose of widening a breach in the party opposed to the mayor, revised the methods theretofore employed and inaugurated impartial examinations. As the experience of this Commission grew, the examinations were made more practical in their character, so that at the present time little complaint is heard of the examinations or the competency of the employees secured thereby.

The civil service law which applies exclusively to the institutions of Cook County was in like manner abused by the parties entrusted with its enforcement; and the reform in the office of the Commission itself was not inaugurated until but a little over a year ago. As the county officials have, since the adoption of the county civil service law in 1895, been under the control of the party opposed by the mayor, a spectacle is presented to the people of Chicago of civil service boards controlled by the two great parties being permitted for years to abuse, trample upon, evade and gradually destroy the reform in the civil service.

Inasmuch as this has been done, apparently with the consent of the majority of the people—such attempts as have been made by the friends of civil service reform to

compel those in authority to enforce the laws having received but little support from the press and less from the community at large-it is not to be wondered at that the bystander has been impressed with the fact that civil service reform is a hypocritical pretense and does not meet with public approval. But the laws have displayed wonderful vitality. While civil service reform has apparently been losing ground, it has been in reality gaining ground. The public has become familiar with the fact that there are such laws upon the statute books. It has learned that boards are actually in existence operating under those laws. It has begun to understand the object to be attained by these laws, and to appreciate how well adapted they are to accomplish this object. The only serious fault to be found with the appointments made at the present time is the failure of the commission to adopt the ordinary precautions of a business house in attempting to ascertain something of the moral qualifications of the applicants for examination. A simple endorsement by two citizens, who need not be of recognized standing, is enough to allow the applicant to take an examination, and upon this recommendation, unless a man is publicly known to have been convicted of some crime, or to have been connected with some public scandal, he is certified for the position after having passed an examination. weakness of the Commission in failing to investigate the integrity of applicants is a just ground for criticism. Again the Commission is not only empowered by the law creating it, but is charged with the specific duty of investigating, from time to time the work of its appointees, and the character of the services rendered by them. The present Commission and all of its predecessors have entirely neglected this provision of the law. At the present time a special committee of the city council is conducting an investigation of the city employees without any power to subpoena witnesses, to compel the production of testimony, or administer oaths. Notwithstanding, it has succeeded in publicly exposing the corrupt methods that exist among the civil service appointees in several departments and very noticeably in the police department, which those familiar

with municipal affairs have been cognizant of for years. This work could better be performed by the Civil Service Commission, and should have been performed by it long since. It is a part of their sworn duty, and by their neglect to exercise its functions they bring the civil service law into disrepute. The law intends that the Civil Service Commission shall at all times be engaged in investigating the method and character of the work their employees turn out. If midnight closing ordinances of the city of Chicago are not enforced, as every one knows they are not; if many of the members of the police department are allied with and protect the criminal classes, as every one knows that they are; if unfortunate women and others engaged in breaking the law are continually obliged to divide with the police, as is openly and repeatedly charged in the city of Chicago, the Civil Service Commission are as fully conversant with said charges as other citizens; and it is their duty to relieve voluntary bodies from investigating the mal-administration of the law, and to see to it that the parties engaged therein are promptly brought up for trial. and summarily dealt with. The civil service board of the city of Chicago having passed a rule that no one can be discharged except upon a complaint filed by the head of the department in which he works, said board has precluded itself from purifying the service, and is obliged to see its recommendations that certain officers be discharged absolutely nullified by reason of the existence of a rule they themselves have power to change at any time they see fit.

For these reasons it is the opinion of many of the friends of civil service reform in Chicago that the cause is not progressing locally as it should; and that unless a speedy change is made in the administration of the laws the well thinking people of Chicago will in time turn against the civil service laws. I do not think that such a result will take place; but I state these facts in order that you may know the conditions of the reform in that city. I think it is due to this impression, more largely than to any other one thing, that the attempt made by the friends of civil service reform in Chicago to procure from

the last State legislature a law covering the State officers and institutions failed. At the time the attempt was made the condition of the Chicago service was a matter of suspicion. Now, after a month's work of the city councils' investigating committee, it is a matter of common knowledge. The failure of the public press in Chicago to support the efforts made by the friends of civil service reform to secure an honest, vigorous and fearless enforcement of the civil service law, has gone a long way toward impressing the members of the State legislature with doubts as to the practical value of civil service reform. Such conditions will not continue for any length of time. The people of Chicago will demand a reform in this particular within a very few years, and they have a habit of accomplishing what they set out to do. When that day arrives, the civil service reform law of Chicago will be enforced as honestly and vigorously as any law upon the statute books. But the conditions I have above described are such as prevail in Chicago to-day.

Mr. Henry Van Kleeck, for the Denver Association:

In answer to yours of the 28th inst., I beg to say that there is not much material for a report from the Civil Service Reform Association of Denver, beyond the facts which you already possess. A general State law was prepared and presented to the legislature last winter, which passed the Senate, but was defeated in the House, the details of which have been reported and published in Good GOVERNMENT. A clause putting all of the departments of the city government under the merit system was repared by this Association, and presented to the members of the charter convention, and adopted by them with but slight changes as a part of the charter for the city of Denver, which was defeated by popular vote on September 22d last. On December 8th an election for delegates to another charter convention is to be held, and we hope to get strong civil service regulation into any charter that may be framed. There is marked increase in popular demand for the introduction of the merit system in all departments of State and municipal government, and we hope before long to be able to report its adoption. J regret exceedingly that I cannot be at the annual meeting in person.

Mr. Joseph C. Butler, for the Cincinnati Association:

The situation of civil service reform in Ohio can best be described as one of resting upon our arms. Our local organization has by its campaign of education and effort won the approval and endorsement of all our commercial and business clubs, as well as the labor unions. It is numerically stronger than ever. Mr. John W. Warrington, one of the ablest and best citizens of Ohio, has succeeded Judge William H. Taft as president. We are simply waiting a favorable time to again introduce a bill providing for civil service. Our efforts have been combated by a political machine which dominates and controls this part of the country; but we have created such a favorable sentiment that they have seen fit to adopt the merit system in our police and fire departments, of course always subservient to their own ends.

We will continue our efforts, and as soon as a propitious time arrives for action, we will further its adoption in Ohio, and our progress will be materially helped by the constant advancement of the merit system in the Federal Government, demonstrating as it does such beneficent and satisfactory results throughout the country. Again the Government, by its continued use, is carrying on quietly and effectively a campaign of education in each town and city of the Union. Especially is this so with our young men seeking employment. The latter will be powerful advocates for its adoption in State and municipal affairs by the logic of things. We can congratulate ourselves on the character and work of our Civil Service Commissioners in Washington, and the fortunate appointment of Judge Wm. H. Taft to the Philippines; again, that New York, Chicago, Milwaukee, New Orleans and several other cities of note have now the merit system, and will furnish us with notable results of the efficiency of their work as a practical system, when our next campaign is fought out for its adoption in Ohio.

There is one serious defect to which our enemies have especially called our attention, and that is, that there is

no special time for the compulsory resignation from the service of those who have grown old. One can readily foresee the danger to our cause, and the difficulty that would beset any government by the lack of such regulation. It behooves us to take this matter up and have proper congressional legislation.

To me there seems no better time than the present, and the sooner this is corrected the safer and stronger will be our position. There are two ways that are in vogue in England and Canada respectively, in England no man is allowed to enter the civil service over the age of twenty-five, and after serving the Government for forty years is obliged to resign. In Canada they have the system of compulsory life insurance, the premium to be paid out of the salary of the employee.

To be brief, the latter plan seems to me the best. I trust that our League will refer this to a committee for

action.

The Chairman then introduced Professor W. W. Willoughby of Johns Hopkins University, who read a paper on "Civil Service Reform in Maryland." 1

The Chairman then introduced Mr. Richard Henry Dana, who submitted the following report from the

Committee on Resolutions:

The National Civil Service Reform League assembled in Baltimore in this, its Twenty-third Annual Meeting:

I. Regrets the loss by resignation of William Dudley Foulke and James R. Garfield from the National Civil Service Commission;

It congratulates the country, however, on the continued high character and ability of that Commission:

On the more friendly disposition of Congress, shown by the increased appropriations for the needs of the Civil Service Commission and by the failure of all adverse legislation:

On the extension of the reform to Shipping Com-

¹ Printed in full at page 148.

missioners, to the new Department of Commerce, to school teachers in the Philippines, in a tentative way to some of the Porto Rican service and on the order extending the labor registration plan to the National service in cities beyond Washington:

On the partial adoption of the merit system by three cities in Illinois and one in California during the year:

On the adoption, of shorter, clearer and more orderly rules by the National Commission; of a plan for consolidation of the various local examining boards in large districts and on the recent improvement in the regulations for the Rural Free Delivery appointments:

On the continued thorough enforcement of the law and rules without partiality to any organization:

On the enlightened public conscience that has come to condemn so generally the removal of a fourth-class postmistress for what seemed to be partisan reasons only.

II. It notes as a valuable object lesson in the fruits of the spoils system the significant fact that not one of the persons indicted in consequence of the recent investigation in the Post-Office Department entered the service through competition.

III. It urges the extension of the competitive system by congressional action to the Municipal Service of the District of Columbia and to the Consular Service of the United States and by executive order to Deputy Collectors of Internal Revenue, Pension Examining Surgeons and, as far as practicable, to Fourth-Class Postmasters:

The prevention of the unconstitutional usurpation of the appointing power by members of Congress:

The repeal of the four year term law:

The application of the merit principle to the appointment of Presidential postmasters, collectors and other high executive officers:

The effectual extension of the President's order

regarding the appointment of laborers under the registration plan:

The adoption of the reform by the cities and States, the large majority of which have no civil service reform laws:

And it calls upon the veterans of the Civil and Spanish Wars and their friends patriotically to renounce the preferences proposed in special legislation in their favor to the detriment of the public interest and of the competitive system.

On motion, the resolutions were unanimously adopted as read.

Hon. William Dudley Foulke of Indiana, offered the following resolution:

Resolved: That a committee of three persons be appointed by the President of the League to confer with the President of the United States, the Civil Service Commission and the appropriate committees of Congress, regarding the introduction of suitable measures to guard against superannuation in the civil service.

After a brief discussion, the resolution was unanimously adopted.

The meeting then adjourned.

FOURTH SESSION.

McCOY HALL,

FRIDAY AFTERNOON, DECEMBER, 11.

THE League re-convened at 3 P. M. at McCoy Hall. Johns Hopkins University, President Gilman in the chair.

The President introduced Mr. Elliot H. Goodwin, Secretary of the League, who read a paper on "Fourth Class Postmasters and Rural Free Delivery." A discussion of followed, in which Mr. Wheeler of New York,

¹ Printed in full at page 157.

Printed in full at page 166.

and the Hon. John R. Procter, of the United States Civil Service Commission, took part.

At the request of the President, Mr. Bonaparte then took the chair and the discussion was continued by Mr. Dana and Mr. Procter.

Mr. Morrill Wyman, Jr. moved that the plan suggested by Mr. Goodwin should be referred to the Council for consideration. The motion was carried.

Mr. Charles Richardson, of Philadelphia, introduced the following resolution:

Resolved: That the visiting delegates and attenders of the twenty-third Annual Meeting of the National Civil Service Reform League, desire to express their sincere thanks for the warm welcome and cordial hospitality which they have received from the Maryland Association, the Women's Auxiliary and the Arundell Club. The kindness and courtesy of the friends of civil service reform in Baltimore have been deeply appreciated and will be long and gratefully remembered.

On motion, the resolution was unanimously adopted. The chairman then introduced Mr. George McAneny of New York, who read the report of the Committee on Consular Reform. Mr. McAneny added that since the report had been written a meeting of the National Committee on Consular Reorganization had been held, at which a plan submitted by the League Committee on Consular Reform had been approved. Under this plan an act had been prepared which would be referred to Congress as at least an alternative measure. The reading of the paper was followed by discussion and comment on the part of Mr. Foulke, Mr. Dana, Mr. Butler, Mr. Wilcox and Mr. Garfield. ²

Mr. Clinton Rogers Woodruff stated for the Special

¹ Printed in full at page 60.

² Printed in full at page 67.

Committee on Civil Service in Dependencies that that Committee would not be able to submit a formal report.

The Chairman stated that Hon. Homer Folks, Commissioner of Charities of New York City, was unable to be present, but had prepared and sent a paper¹ to be read at the meeting. In view of the lateness of the hour it was moved that the reading of the paper be omitted, but that it be printed in the proceedings. The motion was carried.

Mr. Almy, of Buffalo, spoke of the value of the work of women in the cause of civil service reform.

The League then adjourned.

Attest :

ELLIOT H. GOODWIN,

Secretary.

A dinner to the visiting delegates was tendered by the Maryland Association at Lyric Hall at 7 o'clock on the evening of Friday, December 11. Mr. Bonaparte, President of the Maryland Association, presided and acted as toast master. Addresses were made by Dr. Daniel C. Gilman, President of the League, the Hon. Robert Adams, Jr., member of Congress from Pennsylvania, the Hon. John R. Procter, of the United States Civil Service Commission, the Hon. Eugene F. Ware, United States Pension Commissioner and the Hon. William Dudley Foulke. The Hon. Wayne MacVeagh, who was also to have spoken, was unable to remain to deliver his address.

During the meeting of the League the delegates were tendered a luncheon at the Stafford Hotel on Thursday by the Women's Auxiliary to the Maryland Association. A luncheon was also tendered to the delegates on Friday by the Arundell Club.

¹ Printed in full at page 122.

ANNUAL REPORT OF THE TREASURER.

	November 30, 1903.	
Balance on hand, December 1, 1902	• • • • • • • • • • •	\$741.39
RECEIPTS:		
New York C. S. R. Association	\$1,696.00	
Pennsylvania C. S. R. Association	1,130.00	
Massachusetts C. S. R. Association	1,050.00	
Maryland C. S. R. Association	551.00	
Chicago C. S. R. Association	490.00	
Cincinnati C. S. R. Association	200.00	
Connecticut C. S. R. Association	105.00	
Cambridge C. S. R. Association.	co.001	
Buffalo C. S. R. Association	00.00	
District of Columbia C. S. R. Association	100,00	
Women's Auxiliary of New York	100.00	
" Massachusetts	100.00	
" " Maryland	10.00	
Pamphlets sold	. 85	
Total League Receipts	\$5,732.85	
GOOD GOVERNMENT Receipts	1,475.07	7.207.92
Disbursements:		\$7,949.31
	•	
Salary of Secretary		
Assistant Secretary	900.00	
Cierks	1,194.00	
Rent of Office	450.02	
Printing	416.45	
Postage and Stamped Envelopes	183.29	
Stationery	148.84	
Miscellaneous Office Expenses	270.05	
Traveling Expenses	236.08	
Total League Expenses		
GOOD GOVERNMENT Expenses	1,514.29	6 813.02
Balance on hand	A. S. Friss	\$1,136.29 ELL,

Treasurer.

REPORT OF THE COUNCIL.

To the National Civil Service Reform League:

T its last annual meeting the Council congratulated A the League on the admirable results already attained and reasonably promised by the re-organization of the United States Civil Service Commission, through the President's appointment of William Dudley Foulke, of Indiana, and James R. Garfield, of Ohio, as commissioners. In February of the present year, Mr. Garfield resigned to become head of the Bureau of Corporations in the newly created Department of Commerce; and, in May, Mr. Foulke was obliged, by reason of ill-health, to retire likewise. The services of both commissioners had been of the greatest value to the cause of good government, and it was with very sincere regret that all friends of civil service reform heard of their resignations. Somewhat later in the year the President filled the vacancies by the selection of Alford W. Cooley, a member of the New York Association, and Henry F. Greene, at the time of his appointment a citizen of Minnesota, but formerly a member of the Maryland Association, to succeed Messrs. Foulke and Garfield. Both of the new commissioners are tried and zealous friends of civil service reform, who have been prominent advocates of reform measures in their respective States, and they have shown by their official action their thorough and hearty sympathy with the purposes of the League. The Council is again able to congratulate the League on the President's selection of civil service commissioners.

On March 20th last a complete revision of the civil service rules, on which the commission had been at work for several months, was approved by the President; the revised rules to take effect on April 15th following. The new rules are characterized, in general, by greater brevity, greater precision of language and a more systematic ar-

rangement than those they superseded. Their practical effect has been to reduce, in some measure, the number of excepted places. Among the positions thus restored to the competitive list were those of shipping commissioners, removed therefrom by the order of May 29th, 1899, and which the Council, on behalf of the League, were on the very point of formally urging the President to restore when the new rules were promulgated. Very much the most important of these positions, however, that of the Shipping Commissioner for the Port of New York, which was vacant on March 20th, was filled before April 15th. It would have been of interest to friends of reform to note the application of the competitive method in filling this post, had it remained vacant after the date when the new rules took effect. It may be mentioned in this connection that in the new Department of Commerce, with the exception of two private secretaries, there are no subordinates whatever excepted from selection according to the principles of the merit system, and the experience of Secretary Cortelyou himself shows that an officer, selected for merit only, may serve in positions of the highest confidence successive presidents of different politics and rise by promotion based solely upon ascertained fitness to one of the highest offices in the Executive Service.

On March 26th the President signed an order providing for the extension of labor regulations to offices outside of the District of Columbia, the offices within the District having been covered by his order of July 3, 1902. Although nearly eight months have elapsed since the date of this order, it has received, as yet, only a very limited practical application. This delay has been caused partly by want of sympathy on the part of the heads of certain important offices affected by it; partly by a desire on the part of the Commission to perfect and inaugurate a plan for the consolidation of examining boards throughout the country, which will greatly facilitate the execution of the order. This plan for the consolidation of the numerous local boards of examiners is a measure of great promise, and the Council hopes that it may be promptly and thoroughly carried out.

The officers of the League, with the approval of the Council, have endeavored during the year to secure the restoration to the competitive class of Deputy Collectors of Internal Revenue and Examining Surgeons in the Pension Office, both of which classes of positions were included in the classified service by President Cleveland and removed by the order of May 29, 1899. Legal impediments to this action have been suggested in both cases, and the Law Committee of the League has been called upon for opinions regarding them. In both instances members of the committee found no difficulty in advising the League that the restoration of these places would be perfectly legal. The opinion in the second case is herewith filed as Appendix A. As yet this restoration has not been effected in either case, but it is hoped that such action may be taken in the near future.

Two cases of removal from office, that of William A. Miller, assistant foreman of bookbinders in the Government Printing Office, and that of Huldah B. Todd, postmistress at Greenwood, Delaware, have attracted widespread public attention. The prompt intervention of the President in the former case rendered it unnecessary for the Council to determine whether any action by the League would be appropriate; in the latter case a special committee was appointed to ascertain and report to the Council as to the truth of statements that the removed postmistress had been guilty of offensive partisanship in the discharge of her official duties. The report of this committee was received only at the meeting of the Council immediately preceding that of the League; it is deemed inexpedient to publish this report before obtaining further information which will be immediately sought, but it will be filed with this report as Appendix B, and the Council recommend that it receive the early attention of their successors in office.

The case of Miss Todd has caused some excitement by reason of the supposed discovery, made as a result of the discussion it provoked, that fourth-class postmasters had been inadvertently included in the classified service by the revision of the rules. The language of the rules in this respect is not quite as clear as might be desired; but, after a careful consideration of the subject, the officers of the League and Council became convinced that, for practical purposes, the status of these officials remains unchanged from what it was under the old rules, so far, at least, as this affects their liability to removal from office.

During the past nine months an investigation has been made into certain divisions of the post-office department, which has resulted in numerous and painful disclosures of fraud, breach of official trust and criminal misconduct on the part of officers and employees of that department. It is to be remarked that no one of the thirteen public servants indicted for alleged crimes revealed by this investigation originally entered the service through a competitive examination; in every instance their selection, in the first place, was due, so far as can be ascertained, to partisan or personal considerations. One of them, it is true, passed a nominally competitive examination, which made him the only eligible, and another a non-competitive examination for promotion; the other eleven are not known ever to have been examined at all. The indirect effect of competitive examinations in excluding from the service men of such character and associations as commend themselves to politicians is one of the most salutary features of the merit system. Ordinarily, a man who enters the service as the result of competitive examination honestly conducted in accordance with the civil service rules, is a man of higher moral standards than a man appointed to office because he has placed a politician under obligations to him. There have been many illustrations of this truth, but none more striking or significant than the revelations of the postal inquiry.

The Council is happy to be able to commend the action and inaction of the last Congress at its second session. For the first time, a reasonable appropriation for the work of the Commission was made without opposition. Its appropriation was increased to \$160,000, a very moderate sum considering the wide range and importance of the Commission's duty, but far more than it has ever been possible previously to induce Congress to give. Three

very objectionable bills, one providing a fixed term for all officials of the classified service, and confining this to those receiving salaries of between \$900 and \$1,800 per annum; another authorizing the transfer to the classified service of persons employed as laborers, but illegally doing clerical work, and a Veteran Preference Bill of the usual character made more or less headway in Congress, but all of them failed of passage. It should be mentioned, in connection with the last mentioned bill, that the President, by an order signed July 8th, directed the omission of age limitations in tests prescribed for the employment of unskilled laborers in the case of veterans of the Civil War. The practical effects of this order have been and probably will be unobjectionable and indeed insignificant.

In the Philippines, teachers in the public schools have been placed within the classified service, and, so far as the Council is informed, the civil service law and rules are

faithfully and satisfactorily administered there.

In Porto Rico there has been much discussion of the subject. Both the Commission and the League have urged upon the insular authorities the advisability of legislation to secure the establishment of a civil service recruited for reasons of merit and fitness. The results of this agitation, however, have been, as yet, rather meagre. A committee of the Upper House in the Porto Rican Legislature has drafted rules to govern appointments, and a Commission, made up of three officeholders, will be appointed about January 1, 1904, to supervise the practical application of these rules. These commissioners will receive no additional salaries, and will control no appropriation or other fund; the rules will apply only to insular officials, excluding both the municipal public servants and all laborers; in short, only a very partial application of the principles of the merit system seems to be contemplated for the moment; nevertheless so much as has been affected may be considered the beginning of a good work.

In April last the Law Committee of the League addressed a letter to the Attorney-General, urging the prosecution of Senator Quay and one W. R. Andrews, a clerk of a committee of the Senate, for violation of the civil

service law respecting political assessments. The Civil Service Commission had made the same recommendations previous to the last meeting of the League. Only a formal reply to this letter was received, and no action has been taken by the Department of Justice in the premises.

About the same time the League joined with the Pennsylvania Association and the Municipal League of Philadelphia in urging the President to republish and enforce the executive order originally issued by President Grant, and forbidding the simultaneous holding of State or municipal and federal offices by the same person. This action was caused by disclosures connected with one William McCoach, who was at the same time collector of internal revenue in Philadelphia and a member of the City Council. No such general order was issued, but McCoach was notified that he must not be a candidate for re-election if he retained his federal office.

In the same city, besides some complaints as to the conduct of the postmaster, much scandal was caused by the action of the Superintendent of the Mint in employing laborers on partisan grounds and assigning them to the work of classified employees, some of whom (in all cases Democrats) were actually removed to furnish an excuse for this illegal and fraudulent employment of these pseudolaborers. A thorough going examination made by Commissioner Cooley and peremptory orders from the President resulted in the removal of the illegal appointees and the restoration of the subordinates who had been dismissed to make room for them.

Another incident in Pennsylvania arose from the "pernicious political activity" of one David G. Watkins, assistant cashier in the Philadelphia custom house, who seems to have devoted a large part of his time and energies to the distribution of patronage and manipulation of local politics in Carbon County. Charges were preferred against him by the Pennsylvania Association and investigated, under orders from the Secretary of the Treasury, by one Frederick W. Hentz, a special agent attached to the Boston custom house, who has since resigned from the federal service. The incidents and results of this investigation were

not at all satisfactory, Watkins being publicly exonerated from the charges, but privately reprimanded and ordered not to repeat the offense. The Council has authorized the submission of a letter to the President, urging that the Civil Service Commission be empowered to conduct such investigations in future. The alleged offense of Watkins did not constitute technically a violation of the civil service rules, since it was forbidden only by a general executive order; but no good reason would seem to exist why such matters should not be investigated by the Commission; and its report respecting them would command public confidence more fully than one from any other source.

Still another complaint has been received from Pennsylvania, founded upon a circular letter alleged to have been sent out by Senator Penrose to postmasters in Lehigh County, urging them to promote the election of the Republican candidate for a State judicial office. This question has been referred by the Council to the Law Committee for consideration, with instruction to report to the Council about to be elected.

In New York some comment was caused by two special exceptions to the civil service rules whereby the surveyor of the port, James S. Clarkson, an Assistant Postmaster-General under Harrison, whose hostility to the merit system was then avowed and notorious, whereby he was enabled to appoint one John M. Bishop and one James F. Vail to positions for which they lacked the qualifications prescribed by the rules; the former appointment was made prior to the last annual meeting of the League; with respect to the latter, the officers of the League and Council decided that no action on its part was required or would be advisable.

In Massachusetts two cousins, named James M. and Thomas F. Curley, were convicted of impersonating two other persons in an examination connected with the Boston post-office, and all four were sentenced to two months' imprisonment. James Curley was a member of the Massachusetts Legislature, and is now the candidate of his

party for the office of alderman; Thomas Curley has been elected to the Legislature to succeed James.

Attempts have been made to secure legislation in advancement of civil service reform in the States of Illinois. Colorado and California, but, as yet, these movements have met with only partial success. In the first named State a limited application of the merit system has been secured in the cities of Rockford, Elgin and Aurora, and a charter containing civil service reform provisions has been adopted in Los Angeles, California. A gross scandal occurred in the Municipal Civil Service Commission of San Francisco, one of its members being accused of fraud and He resigned his position in consequence, but forgery. escaped a criminal prosecution, a demurrer to the indictment found against him being sustained on technical grounds. The moral of the incident would seem to be that competent men of good character cordially attached to the principles of the merit system are needed to supervise the practical application of that system; a Civil Service Commission made up of men with the moral standards of "Spoils" politicians cannot be reasonably expected to do their work satisfactorily.

An important change in the rules respecting the employment of rural free delivery carriers was made by the Commission in concert with the post office department within the past few days; a memorandum regarding it, furnished by the Commission, is herewith filed as Appendix C.

In conclusion the Council calls the attention of the League to the importance of organizing new Associations in those States where no Associations exist at present, and of reviving and, if necessary, reorganizing Associations now existing, which have become, for one reason or another, inactive and practically dormant, and advise that this matter receive the attention of the Council about to be elected. That the trend of enlightened sentiment throughout the country is very strongly in favor of the principles of the League is shown by the multiplication of organizations having the promotion of the merit system as one purpose among others of their formation; but,

however satisfactory in themselves may be these proofs of public interest in civil service reform, the Council is convinced that Associations affiliated with the League and devoted primarily to the advancement of civil service reform are indispensable to secure a general recognition of the vital character of the reform in any scheme for the intelligent advancement of good government and pure politics.

The earnest and successful work done by the three Women's Auxiliaries already formed indicates the advisability of forming similar bodies throughout the country. The Council deem it particularly desirable that the interest of our younger citizens in this great reform should be stimulated and their co-operation in the work of the League secured by their enrollment in greater numbers among the members of the affiliated Associations. It feels confident that the great advances made in the practical application of its principles during the twenty-three years of its existence will be continued until avowed opposition to these principles has wholly disappeared, and it urges upon all members of the League and patriotic citizens and friends of honest government a resolute and persevering advocacy of the reform under all circumstances and in all parts of the Union.

Very respectfully submitted, on behalf of the Council, CHARLES J. BONAPARTE,

Chairman.

Report of the Committee on Consular Reform.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

YOUR Special Committee to consider measures for the reform of the Consular Service, respectfully submits the following report:

The discussion of proposed reforms in the Consular Service which has proceeded for a number of years past, has established very clearly these facts: That, although the service as a whole compares more favorably with the corresponding service of other nations, than might reasonably be expected, it is far less efficient than it would be, were it organized in a manner in keeping with American methods in private, commercial and business affairs, and that the public interests have suffered in a considerable degree because it is not so organized; that the Chambers of Commerce, Boards of Trade and other like bodies throughout the country are thoroughly alive to the importance of securing an improved system; and that those officers of the Department of State who have most closely to do with the administration of the service are equally desirous of accomplishing that end. So favorable is the present state of public opinion generally that it may be said with confidence that the consummation of the reform cannot be much longer deferred. The people appreciate that the Consular Service is one of the most important business agencies of the government, and that in order to develop in it a proper degree of effectiveness there must be an end of the practice of treating the consulates as political spoils, to be filled at every change of party control by men who, no matter how capable or adaptable they may be, are necessarily unfamiliar with the methods of the service, and with the duties to be performed, and who, too frequently, are neither capable nor adaptable. They recognize that in order to give the government, and

the commercial interests it naturally fosters, the benefit of trained experience, consular duty must be made a real career and the service a carefully adjusted permanent organization.

Discussion of the arguments, therefore, has become perhaps less important than consideration of the measures by which the reorganization of the service on a merit basis may be most effectually and promptly secured.

It may be useful, in this connection, to review briefly such attempts at reform as have previously been made. The present form of organization is that created by a statute of 1854. There have been practically no structural changes in the half century since. In 1864 provision was made by Congress for a corps of thirteen consular clerks, to be appointed through competitive examination and trained with a view toward their subsequent promotion to consulates. This was to be the beginning of a sort of student body from which the higher ranks were to be recruited, as under the plan of the British Foreign Office. But there was no attempt to grade the service above so as to facilitate the actual filling of vacancies through promotion or to guarantee that the promotions so made would be permanent. The experiment, however, was not encouraged by Congressmen, and although a majority of the clerks remained they are still clerks, and have grown to be old men. The only two who were willing to accept promotion to the Consular Service proper, were promptly removed at the change of administration next following. In 1866 the Department of State promulgated an order requiring all applicants for consulates to present themselves for a non-competitive or pass examination. A board of examiners consisting of the Second Assistant Secretary, the Examiner of Claims and the Chief of the Consular Division, was organized and held examinations under this order, passing seven of nine applicants coming before it, but it does not appear that more than one other examination was so held or that following that occasion the board held any further session. In April, 1872, a similar departmental order was issued, with uncertain results, and this in March, 1873, was superseded by an order of the

President, made under the civil service statute of 1871. This latter provided also for non-competitive examinations, but action under it seems to have ceased at about the time that the work of the first civil service commission was itself ended, through the hostility of Congress. does not appear that the non-competitive examinations required under any of these earlier orders were of a very severe type, though they may have served to debar a certain proportion of the most unfit. Under the order of President Grant, for instance, a candidate was notified sometime in advance that, in addition to certain elementary subjects, he would be examined upon the third and eleventh chapters of "Kent's Commentaries," and upon the "Regulations of the Consular Service of the United States," copies of which latter volume would be furnished him for eighty cents within a time reasonable enough to permit him to familiarize himself with its more general requirements. This, of course, was reduced in practice to little more than a memory test.

There were no further attempts at reform through executive action until the promulgation by President Cleveland of the order of September, 1895. This order is still in force. Under its terms consulates, the annual salaries of which are at least \$1,000 and not more than \$2,500. are required to be filled either "by transfer or promotion, from some other position in the Department of State of a character tending to qualify the incumbent for the position to be filled; or by an appointment of a person not under the Department of State, but having previously served thereunder to its satisfaction in a capacity tending to qualify him for the position to be filled, or by the appointment of a person who, having furnished the customary evidence of character, responsibility and capacity and being thereupon selected by the President for examination, is found upon such examination to be qualified for the position." Out of a total salaried force of about 300 consuls and consul-generals these provisions affect about 235, those remaining receiving salaries above the rate of \$2,500. The order serves in a way as a rule of action for the executive and has been construed with varying degrees

of strictness, but the candidates selected, whether for transfer or promotion, or for original appointment after the prescribed non-competitive tests, are treated without distinction by the Senate. Each time that a particular consulate is filled, even though the nomineee be already in the service and at another consular post, a new nomination must be made, subject to the Senate's confirmation. Executive orders, in themselves, could make no change in the ancient forms of organization, under which neither classification or orderly grading was possible.

President Roosevelt announced some months ago that in making future selections for the higher positions, he would follow the method of promotion or transfer by preference, a policy that has already produced notably good results; but the procedure that must be taken in making any change of this sort remains most cumbersome and the promotions, having no support in a system of rules, may be unmade arbitrarily by a succeeding President. non-competitive examinations, which candidates must still pass as a condition precedent to original appointment are scarely more effective than those of the earlier systems as a barrier either to appointment or removal for political reasons. They were established two years after the memorable "reorganization" of the service effected by Mr. Quincy, but were followed in turn, two years after their establishment, by changes of much the same degree under Mr. Quincy's successors. From March 3, 1897, up to November 1, 1808, the changes in the consulates of \$1,000 salary and above were 238, out of a possible total of 272, and in the positions below \$1.000 they were 21 out of a possible 48. When we turn to the record of appointments made to fill some of these vacancies it appears that during the even year from March 3, 1897, to March 3, 1898, there were 112 candidates named for examinable positions and that of these one only failed to pass.

Secretary Olney, in his letter to the President urging the adoption of this order, said, "It may surely be claimed that it will be at least a step in the right direction, and a step to be judged of not by the advances it itself makes, but by the advance it may rightly be expected to inevitably lead to. It was such a step, and both Mr. Olney and the President was justly praised for taking it, and it cannot be denied that its principle usefulness has been in the further proof it has given of the ineffectiveness of the non-competitive system, and of the need of a radical change of method to secure the real advance. Analysis of the reasons for the repeated failures that have been made shows that chief among them are the need of:

(1) A regularly graded classification, including all salaried consuls or consuls-general, based on the amount of salary, and so arranged as to permit the interchange of consular posts within the same grade, by order of the President alone, or advancement by promotion from grade to grade.

(2) The fixing of salaries for the higher grades sufficiently adequate to encourage capable men to enter the service as a career, and provision for the turning of all fees received at salaried posts into the government treasury; and

(3) The establishment of a system of competitive examinations, open to all who possess the prescribed preliminary qualifications, for entrance to the lower grades, of transfers and promotions based upon superior capacity shown in actual service, and of retention during good behavior.

The plan of classification is almost essential. Until it is established the examination for admission would offer little opportunity beyond the post for which nomination was made, and regulated promotion would remain as difficult of accomplishment as it is to-day. Were classes established, with uniform salaries for all posts included in each, the nomination of the President would be for the class and not for the individual position: transfers, intended to broaden the training of the consul by familiarizing him with the characteristics of the different parts of the service or with the routine of the home offices of the bureau, might be made at will; and promotions, when made, would mean an advance not only in salary but in duty. While the abolition of the fee system does not belong necessarily to the plan of reform the League advocates, it has a rela-

tion to the re-adjustment of salaries, for purposes of classification, that is important and hence is to be kept in view.

To throw the avenues of entrance to the service open to competition, based on a really exhaustive system of examinations, and to offer promotion to the more important and more honorable posts as a reward for meritorious service, would be but to adopt the methods of every continental nation of the first rank or, for that matter, those methods of our own subordinate civil service, the wisdom and efficiency of which experience has so clearly shown. The acceptance of the competitive idea, in any plan of consular reform, is essential.

Before the appearance of the executive order of 1895 the first measures for securing the reform through legislative action had been taken, and at each session of Congress since consular reform bills have been pending. Occasionally one has been reported, in either House, and there have been debates concerning these, but none in either House has ever reached the order of final passage.

The later bills have contained provisions for all three of the elements of reorganization above enumerated, though they have differed in details. In the last Congress the act introduced in the Senate by Mr. Lodge and in the House by Mr. Burton, and the act introduced in the House by Mr. Adams of Pennsylvania, each of which has been discussed before the League, provided, with some differences in detail, for a complete classification, for the abolition of the fee system, for the establishment of a board of examiners, and for fixed systems of examination, certification and appointment, following approximately the system of the civil service law. The Lodge-Burton act contained the added requirement that during the two years immediately following its enactment consuls now in the service should be gradually recalled and subjected to the examination prescribed for new appointees, as a test of their fitness for retention.

Toward the end of the session Mr. Lodge re-submitted the classification features of the bill, with a general requirement of examinations, under methods to be determined by the President, in separate form, as an amendment to the diplomatic and consular appropriation bill. This, however, failed of passage, as the more comprehensive measures had before it.

Throughout the discussion of the practicability of a reform through legislation, it has been recognized that there is grave doubt of the power of Congress to fix with any exactness the method of appointment of consuls, in view of the language of the constitution under which the right of selection and nomination is given to the President alone. Your committee is of the opinion, in view of this element in the situation, and of past experience, that the establishment of a satisfactory and enduring system will be most effectively brought about through the passage by Congress of a bill calling in terms for reorganization, establishing a proper classification and providing for a board or commission of examiners, but beyond this merely giving authority to the President to establish rules governing both appointments and changes within the service, in the manner in which, under the statutes of 1871 and 1883, he is authorized to establish rules for the government of the home branches of the executive civil service. Such an enactment by the Senate would bind that body. morally at least, to accept the nominees whose qualifications had been determined under the rules it had authorized. There could, moreover, be little doubt, in view of the known disposition of the President, that the rules established would be followed on correct lines and centered in the competitive idea. That they might be amended by a succeeding President is true, but that amendments would be made, impairing their efficiency in any serious degree. in view of the pronounced feeling of commercial bodies and of the people generally for genuine reform, must remain very doubtful also.

Your committee suggests that this plan be commended to those representatives of the Chambers of Commerce and Boards of Trade who for some years past have led the movement for Consular improvement, and that, so far as may be desired, the League lend to these bodies its active aid in furthering the reform both in Congress and before the Executive.

Very respectfully submitted,
GEORGE McANENY, Chairman.
CHARLES J. BONAPARTE, H. BARTON JACOBS,
WILLIAM E. CUSHING, ELLIOT H. GOODWIN.

MR. FOULKE: The Consular service offers opportunity for some very careful observation. In some places it is really splendid, in spite of the fact that it is controlled by the spoils system. This is due to the fact that some of the politicians who have been sent from here have had training in the newspaper business, and with the natural assurance of the American man and the natural ingenuity of the Yankee, have devoted themselves to trying to find out what was going on in the country to which they were accredited, and have made reports very valuable to Congress. The best places are found to be in important ports of England, Germany and France. But the average Consul knows nothing about consular duties, and it is not always pleasant to meet him when traveling abroad. He is met most frequently in the countries of the far East and in South America. The consular service is in a deplorable condition in the far East; scarcely any of the consuls speak any language except English, and the same is true of South America. Our consular service is the most peculiar on the face of the earth—excellent in a few places, miserable elsewhere. I think the commercial interests of the country have realized that it is absolutely necessary that we should have a consular service which shall be uniformly good. The illustration given by Mr. McAneny in regard to the character of the examinations prescribed by President Cleveland shows how useless all pass examinations are. After the Cleveland administration got the service in such shape as it wanted it, it determined to be very good, and pass examinations were enforced. I think fully fifty per cent. of those who applied for examination failed to pass. But the moment Mr. McKinley came into power—though the precedent adopted by Mr. Cleveland was adopted by the McKinley administration—the pass examinations were not found to stand in the way at all. Mr. McAneny has said to you that only one man failed to pass the McKinley examination. There was one man who got a position a little lower than that applied for because he could not pass for the higher position. Now evidently the system had broken down entirely. Pass examinations adopted by Secretary Seward broke down entirely under Cleveland and again under McKinley. A pass examination is absolutely valueless, and there is no use trying to make anything out of the consular service until we can have competitive examinations.

Now, it is going to be pretty hard to get a bill passed by the Senate even in terms as reasonable as are those mentioned in Mr. McAneny's report. The consular and diplomatic service is almost the sole treasure-house of Senatorial patronage, and the Senators are most reluctant to give that up. I am in hopes that the time will come when, if not by a bill, at least by an executive order, the President may see his way to adopting regulations, limiting his own discretion in the appointment of consuls, and that he will appoint none except among the three or four that have come out highest in a competitive examination. When that time comes I hope to see a bill introduced and hope to see it passed. I have not, however, much confidence that it will pass the Senate of the United States; if it does not, we can still resort to the executive. The great trouble with this remedy will be that the Senate may refuse to confirm any appointments made by the President in pursuance of that system. Then the executive takes a great responsibility in adopting such rules. If he says he will nominate none but the three highest the Senate may well say they will not confirm any nomination made under that system; but I think the time will come when the Chief Executive will find himself strong enough to do even that, and I believe that time is not far distant.

MR. DANA: The vital point of this report is to substitute a competitive system, in some degree at least, for non-competitive. It has always been found in noncompetitive examinations that they are generally brought down to the level of the capacity of the candidate. The pass examination system was tried in England, and it failed because the inevitable result was that when departments had their pass examinations and they wished to have somebody appointed, the very same influences that induced them to make appointments induced them to make the examinations easy enough for the appointee to pass. An illustration of this is an examination which was held for the consular service in the United States. I will not say under which administration it was, but under one of those examinations some persons had to pass who did not know the language, and yet an examination in the language of the country to which they were going was part of the system adopted. We tried to find out in what the examination consisted. The then Secretary of State said those examinations were a matter of private record and were not open to public inspection; but his successor enabled us to find out one of these examinations. was an examination in French, and, as you all know French here, of course you will understand the thoroughness of that examination. The question asked was in English, to be sure, and the answer was not required to be in French, but was also required to be in English. There was only one question and only one answer. The question was this: "Do you think you know enough of the French language to enable you to perform your duties?" and the answer was "Yes."

MR. BUTLER: A few years ago I made a little address on civil service and touched upon the Consular Service owing to the fact that I had a friend in business down in South America who had told me a good deal of the Consular Service down there. He said he was able to invite every consul except his own. Our own consul was a colored man, and not even of the Booker T. Washington sort, but that he was a most disgusting man, who had

not even good habits, and he said that was the rule with our consuls in South America, so far as he knew them; that they were a disgrace to this country. I met one of our consuls in Germany—I think he was an old Grand Army man—and so far as I could make out his greatest accomplishment was chewing tobacco. Shortly after making the address referred to, I got quite a number of consular reports that came from Washington. They seemed to me rather flattering, but I suppose they came from our consuls in those good spots Mr. Foulke speaks of. Certainly they were very creditable.

MR. WILCOX: We have heard it expressed by our friends here that there is absolutely nothing good in noncompetitive examinations. No one believes more thoroughly than I do in the principle of competition, and no one realizes more keenly than I do that this is the fundamental basis of any merit system; but I do not think it wise for us, as advocates of the merit system, to discourage entirely the idea of pass examinations, for there are some positions in which there is a difficulty in applying the principle of open competition, and where noncompetitive examinations, conducted by impartial and disinterested parties, may be a very useful substitute. The difficulty about the non-competitive examinations of which Mr. Dana spoke, and the difficulty which always comes into mind when talking about them, is that they have always in the past been applied by the appointing power. A non-competitive examination conducted in secret by the very man who is to make the appointment is, of course, a farce; but a non-competitive examination by a fair, outside tribunal is by no means necessarily a farce, and there are branches of the public service in which it may be substituted for competition. Where the class from which candidates can be drawn is limited and requires special knowledge by the examining body, where there are few men who can hold the examination, as is often the case; where it is difficult to get anybody to go into the examination, as is often the case, competition is sometimes impossible, which is recognized by the Constitution of the State of New York. Do not let us give too great stress in discrediting them because we may have occasion to use them in some other form.

Now, as to the bill spoken of in Mr. McAneny's report. Our idea now in regard to this bill is to try to present to Congress a bill providing for the reorganization of the Consular Service, the arrangement of consular offices in accordance with the report, grading from offices of the first class down to the fifth or sixth class, and salaries apportioned to each in accordance with the report, thus creating a system upon which an executive order of the President could work; and we propose, in addition to this bill, to wipe out the fee system and provide that all consular officers shall be compensated by fixed salaries. In my belief the bill could safely stop there, and, after reorganizing the Consular Service, leave the matter to the President, who is a believer in the merit system.

MR. GARFIELD: It is always interesting to see how different men approach the same subject by different routes, and yet arrive at the same destination often times. This was illustrated to my mind very forcibly when I was still a college student in Williamstown. Mr. Phillips Brooks came to us one day, and what he said fixed itself very clearly in my mind. His theme was the arrival at a destination upon which all our minds were set and that the route by which we arrived did not much matter. He used an illustration very appropriate to our college town, situated as it is at the foot of Mount Adams. said to us: "There stands a great mountain with human beings clustered about the edge of it. We are all seeking to get to the top. Some go up one side, some up another, some by ravines. But, finally, we meet at the top and we are always rather surprised to find anybody there besides ourselves, especially if they have come up by another route. Now, with reference to this consular reform, some of us have the good fortune to be members of this particular League, and are also appointed to represent some trade organization that has been instrumental in pushing along this reform as far as it has gone

already, and I propose to speak to you just a moment, not from the standpoint of the Civil Service Reform League, but as Chairman and one of the members of the Business Mens' Committee. Now, what has that Committee been interesting itself in this consular matter for? It must have had an object. The object was to secure good men, business men-it did not care whether by civil service methods or other—what it wanted was results. Business men always talk about results, and very wisely. The business man who was an importer or exporter had often found by experience—sometimes costly experience—that he could not rely upon the representatives of our country, especially in South America and those Far Eastern countries that have been referred to, in which the least satisfactory men are to be found. His experience was sometimes so costly to him that he became embittered against our representatives and felt that the Government was not holding up its end at all. It did not relieve him very much that some consuls sent in reports that are worth while; all he knew was when he or his representative was traveling abroad and sought to have a bill of lading certified he would find that our consular agents had divided the country into districts, and the agent would say: "No, I cannot do that because over here in the other district is so and so, this belongs to his district; he and I have divided up the district and I cannot certify that." There is no reason for that kind of a rule. That kind of rule is born of the fact that the present system puts men in special places, and a certain kind of jealousy grows up between our various representatives because the fees go into the pocket of the consular representative, and therefore he wants the line drawn very clearly so he knows what he is to receive and he is willing to let the other fellow have his part. many business men had like experiences that finally they put their heads together and said, "This thing has got to stop." So it resulted some years ago in Chambers of Commerce, etc., getting together to bring influence to bear upon Congress to enact legislation to correct the situation as they saw it from the dollars and cents side.

One of the first things they did was to go down to Washington and find out what had been undertaken. found that Senator Morgan and Senator Lodge had in the past been interested in introducing bills of that kind, but they found on deck and at work at that time a member of the House of Representatives who ever since then has interested himself, session after session, in seeing what could be done. Mr. Adams of Philadelphia, and ever since that time these business men have looked to Mr. Adams as one of the most important men in Congress, and they look to him to help them to secure the desired legislation. I hoped Mr. Adams would be here this afternoon to confer with the business men and meet the business mens' delegates, because at that meeting what the business men did was, in substance, to take Mr. Adams' bill, which, in his interest in this subject, he has already introduced—introduced at the Special Session as a basis and substantially as it stood, with certain changes that they desired to have made and which, after consultation with Mr. Adams, we think very likely he will acquiesce in as wise to make. At any rate, we rely very much upon him and, of course, we rely upon Senator Lodge, Mr. Burton and those in Congress who have in times past introduced bills. What the business man wants in this case is just what he wants in all business enterprises—he wants results, and if the suggestions that have been offered to-day by Mr. McAneny, and which were in substance the recommendations adopted by the business mens' meeting, if those recommendations also seem to appeal to Mr. Adams, who has had great experience with reference to this whole subject, then possibly we may at last persuade Congress to do something. Thus far, as Mr. McAneny stated, it has amounted only to securing a report from committee. A bill did get before Congress for a little debate at a recent session, but never got anywhere near passage, and our only hope lies in this. I can illustrate it best by what occurred at the last meeting between the business mens' representatives and the Committee on Foreign Affairs of the House. Somebody wanted to know when we were going to get tired coming down to Washington, and some of us told him that we were still young, our hair was not gray, and that we proposed to keep on coming until we got what we wanted, for that is the business man's way, the way that will inevitably win out in this case. We are a good deal in the position of old Cato, who said, at the end of every speech, no matter what about, "Carthage must fall," and one day Carthage did fall.

The Need for Greater Efforts and More Effective Methods in Advocating the Merit System.

CHARLES RICHARDSON.

Por more than twenty years the National Civil Service Reform League and the Associations composing it, have been actively engaged in advocating, explaining and perfecting the "Merit System." In the face of overwhelming odds and the bitter antagonism of powerful interests, they have never ceased to maintain that that system must finally triumph, because it is the only fair and wise method for regulating the appointment of public employes, and the only means by which it is possible to secure the best class of public servants, and to prevent or even to check the growth of waste, corruption and mismanagement, in our national and local governments. The progress that has been made during this comparatively brief period is exceedingly gratifying and encouraging. Every objection has been answered, the erroneous statements of our opponents have been exposed and refuted, the system has been established and successfully operated in leading States and cities and in the Federal service, the Pulpit and the Press are usually on our side, and the very large majority of the intelligent people of the United States have been convinced by our arguments and desire the triumph of our cause.

It must be admitted, however, that public opinion in this connection is as yet very far from being as insistent and effective as it ought to be, and as it must be before it will be possible to banish the spoils system from American politics. While our successes have encouraged the supporters of honesty and decency in public life, they have also stimulated the pernicious activity, the low cunning, and the reckless mendacity, of those who live and thrive by the vicious and dishonest methods which we seek to abolish; and instead of feeling that we can lay by our oars, we must recognize the fact that there is an urgent necessity for further and still greater efforts, for the objects we want to accomplish. When we think of all the cities and States where there is not even a beginning of civil service reform, and when we remember the difficulties with which it has to contend wherever it has been introduced. and the fact that it is always surrounded with desperate enemies striving to misrepresent, evade or defeat it at every step, we can see that the work already accomplished is only a fair and promising beginning for that which is yet to be done.

Republican government is so admirable in theory that those who are so fortunate as to enjoy its advantages are constantly in danger of forgetting that, if they fail to secure the election of good officials and lawmakers, their beautiful system is quite as certain to result in ruinous failure as any other form of social organization. Political highwaymen are always active, always trying to capture our governments, deprive us of our rights and privileges and compel us to furnish immense sums for our own enslavement and their enrichment.

Modern cities are like richly laden treasure-ships in an ocean swarming with pirates. If they have been manned in accordance with the spoils system, their officers and men will have been selected and appointed by the captains of the pirates, and the looting will be rapid and continuous so long as there is anything to steal. If, on the contrary, their crews have been chosen by the merit system for their superior honesty and fitness, the black flag of the freebooter will be rarely seen, and the pirates will soon have reason to seek for some more legitimate or less dangerous business. The plunder that can now be obtained by gaining the control of a State or city government, is so enormous that

wherever there is a chance to capture it the effort is sure to be made, and being made for wicked and dishonest purposes, the men who make it and the means they use will be of a corresponding character. In many cases shrewd and unscrupulous leaders, assuming the cloak of civic patriotism, and acting as managers of party organizations, have succeeded in combining and moulding the worst elements into disciplined bands of reckless mercenaries, which they use for controlling primaries and carrying elections. By distributing offices, franchises, contracts and special privileges among their followers, these lords of misrule have converted public powers and public revenues into huge bribery funds, or rewards for betraying public interests, and defeating or paralyzing the political efforts of great communities. The people have been so deceived by the cunning hypocrisy and attractive promises of such leaders, and so blinded and divided by party cries, and false, irrelevant or less important issues, that there has seldom been any active or vigorous resistance from more than a small minority of clear-sighted and courageous citizens. In some localities the elections have been so vitiated by fraud and rascality that they can no longer be regarded as a means by which the voters can express their wishes, and may be better described as a series of revolting struggles between rival factions or gangs of thieves, equally base and equally anxious to obtain power and wealth without regard to moral principles or public interests.

If the spoils system was only reposnsible for the robbery and waste of public funds, and for the gross mismanagement of our material interests, it would still be an intolerable abomination, but when it is obvious that it is also the most powerful of human agencies for the promotion and protection of every kind of wickedness and vice, and for lowering the moral standards and degrading the manhood of the American people, we can only explain the inaction of the voters by assuming that they have no clear perception of the conditions which surround them or the dangers which menace them. We believe that they are generally in favor of the merit system, but they think

it is the business of other people, and especially of reformers, to have it enforced. Their hopes that we will be successful in our efforts may remind us of the Frenchman's hopes that his wife would be successful in trying to put out the fire, when his house was in flames and he refused to leave his bed, because it was Madame's business to attend to domestic difficulties. The passive submission of many plundered and long-suffering communities might lead us to suppose that they are as fully imbued with the doctrine of non-resistance as the peace-loving Quaker, who astonished a midnight burglar by calling down the stairs, "Friend, when thee have taken all thee wants, please shut the door." The truth is, however, that the people do not understand or appreciate the magnitude of the evils to which I have referred, or the fundamental and paramount importance of civil service reform as the only practical and sufficient remedy for those evils. It is this lack of understanding and appreciation which makes it our plain duty to use every honorable means to reach and impress the minds of our fellow citizens, and to convince them of the seriousness of the situation and the importance of disregarding minor issues, and uniting in every iudicious effort to abolish the spoils system, and enforce and extend the merit system. We can hardly be too diligent or emphatic in insisting that there are very few elections in which the enforcement of the merit system should not be regarded as the most important of all issues, because it is, as a rule, the only means by which it is possible to secure honesty and efficiency, and to prevent bribery and corruption, in the public service. The methods which we have followed in the past should still be pursued, but with increased ardor and energy; and we should also make a special effort to find new and still more effective methods for attracting the attention and arousing the interest of the people.

As an attempt to furnish a contribution towards such an effort I would like to suggest that we might make and ought to make, a great deal more use of the newspapers than we have hitherto done. They are not merely

the best, but practically the only means by which we can reach the masses of the people, and their editors are generally glad to print letters on subjects of current interest. Such letters frequently lead to replies or editorials, and sometimes to extended discussions, which reach many readers. The constantly recurring instances of the bad results of the spoils system, and the violation of correct principles by public officials, can be utilized as texts for such letters, and help us to keep our cause and our arguments before the public. As business men and occasional readers of advertisements, we can appreciate the effects produced by continuous publicity, and the constant repetition of true statements and sound arguments. It seems clear that we should not only continue, but should greatly extend the practice of sending carefully prepared letters of appeal or inquiry to officials, legislative bodies, party conventions, and candidates for public office, and afterwards publishing the letters and replies with comments. As the Spartan soldier was told by his mother to make up for the shortness of his sword by adding a step to it, so we wherever we are numerically weak, should make up for it by increasing our activity. It may even be instructive in this connection to remind ourselves of the old story of the Irishman's pig which ran round so actively that the neighbors thought there was a dozen of it.

As another suggestion I may say that I believe there are many occasions, especially in local contests, when it would be wise for our Associations to pass and publish resolutions advising their members and other citizens to ignore other issues, and vote only for candidates whom they believe to be in favor of civil service reform. This could be done without naming any party or any candidate, but of course the letters to the candidates and their replies if any, should be published at the same time. Action of this kind would not be partisan in any sense, and it would be especially effective in attracting the attention of the people and convincing them that we are sincere and earnest believers in the primary importance of the cause we advocate. It would also give us an opportunity

to emphasize the fact that the only way to obtain a good civil service law, or to have such a law properly enforced, is to elect lawmakers and officials who understand and approve of the merit system. As an additional reason for making direct appeals to the voters, we may remember that anything which seems likely to affect the popular vote will have far more weight with legislators and the leaders of party conventions, than such arguments and requests as we have so often submitted, and they have so frequently treated with contemptuous indifference or open hostility. If it should appear that there is no hope for the only candidates who deserve to win, this should not prevent us from encouraging their supporters by endorsing them at the polls. Many a good cause has been lost because its own friends have failed to give it the public support which might have kept it alive and led to its ultimate success.

I think we should give much more attention and labor for our cause, in connection with local governments. They are of immense importance in themselves, and the influences which control them must necessarily control the selection of the men who compose our state and national governments. Corruption in the former leads to corruption in the latter, as certainly as decay in the roots of a tree leads to a loss of vitality in the topmost branches.

Whenever there is an opportunity to promote the adoption of a well devised law or constitutional provision to permit what is known as "direct legislation," I think we should do all we can in favor of it. Such enactments are exceedingly desirable for many reasons, but for the purposes of this paper I need only say that it would be comparatively easy to establish the merit system if all that was necessary was a carefully prepared petition and a direct vote of the people.

I believe that if our Associations and members are willing to act with energy and perseverance on the lines I have suggested, and such others as may be deemed advisable, our numbers will be greatly increased and the demand for the merit system will become so general and

so imperative, that party managers and public officials

will no longer venture to deride or defy it.

The fate of American institutions depends upon the issue of the conflict between the supporters of civic right-eousness on the one hand, and the forces of wholesale corruption and unscrupulous greed on the other. If we needed any stimulus to further and greater efforts for civil service reform, we should find it in the thought that it is within our power to take an active, and, it may well be, an effective and decisive part in this great contest.

The Merit Principle in the Selection of the Higher Municipal Officers.

R. H. DANA.

WELL-KNOWN writer on public affairs openly declares that self-government, applied to municipalities, is a failure, and cites Washington, D. C., admittedly the best, the only well-governed large city in the United States, where the citizens have no vote, and the city is ruled by a commission. We must admit that, as at present applied, selfgovernment in our large cities is a failure indeed. But is the failure in the principle of self-government itself, or in the way self-government is carried out? Have we not failed to distinguish between broad questions, such as how much tax we shall pay, how far improvements shall go, and the like, which are questions the people can and should decide, on the one hand, and on the other, the execution of the details, which are largely scientific and financial problems, that should be administered by permanent, non-partisan and honest boards of thoroughly trained experts? We see this distinction carried out in Paris, France, which Albert Shaw, author of "Municipal Government in Great Britain" and "Municipal Government in Continental Europe" calls "the typical modern city." He says:

There can be no comprehension, however faint, of the government of Paris which does not take into account the superb permanent organization of the civil service machine. It is to this 'tertium quid' that one must look if he would discover the real unity and continuity of the administrative work of the Paris municipality. Prefects may come and go, ministries may change with the seasons, and municipal councils may debate and harangue until they make the doings at the Hotel de Ville a byword for futile and noisy discussion. But the splendid administrative machine moves steadily on.

The Paris municipal council's chief work is to pass upon the details of a minutely analyzed financial budget, prepared by the experts.

This civil service machine includes civil engineers, architects, physicians, and, in fact, all the highest administrative officers, except the Prefect, who is practically the Mayor. The positions in this civil service are filled partly by examinations, largely competitive (pp. 43 and 105), and partly in the higher grades, from "the splendid series of municipal and national technical and professional schools which train men for every special department of municipal activity." The highest positions in these technical and professional schools are gained by competitive examinations, so it is a system of competitive examinations which is relied upon to keep this splendid service out of politics and furnish its personnel.

The competitive system of appointments, as applied to municipalities in the United States, stops short of the higher officers. Exempting the latter from the merit plan was perhaps well in the tentative stages of the reform, but it is vastly more important for administrative purposes to have the reform extended to these higher places than to apply it to the lower. Mistakes in copying, bookkeeping, typewriting, etc., bad as they are, are not as expensive and dangerous as mistakes in engineering, roadbuilding, health, etc., which have cost municipalities millions of dollars in money, to say nothing of injury to health and life of human beings.

But can such positions as that of city engineer, city electrician, superintendent of roads, city physician, city chemist, etc., be safely filled by competitive examinations? Surely they can. The examination for the position of city engineer, for example, can be limited to graduates of established character from well-known technical or scientific schools, who have had a given number of years, at least, of experience, and the questions may be practical ones, testing the knowledge of and experience in all the subjects and engineering problems which an engineer of a large municipality should have. The applicants for the position of superintendent of streets could be examined in all

the methods of street-building for different kinds of traffic, the kinds of material used, their cost, and where they can be obtained, the mixing of gravels, the subdraining of roads, the proper application of macadam and telford pavements, road repairing, the various methods of street-cleaning, and economy in the use of waste and the like, the experience of other cities, and in numerous engineering and financial problems that would come within his sphere.

The examinations for scientific positions in the United States service have been some of the most satisfactory of the competitive tests. Latent talent has been discovered and the best men come to the top. In the national service of Great Britain, all the permanent heads of departments, Cabinet offices not being classed as "permanent," are under the merit system.

But, admitting we thus secure the necessary knowledge, can we obtain executive ability through competitive examinations? In many of the larger offices, the examinations may be allowed to admit only to positions of assistants, and afterwards from among these, by promotion, may be selected the one who shows the most executive ability for the head. But sometimes it may be necessary to fill the head position by direct examination, as where there are no competent assistants, and again it may be justly claimed that even the assistants would need to have at least some executive ability. How, then, can that ability be secured by examinations? First, scientific study deals with concrete facts, and the trained engineer is not a mere dreamer, but, as a rule, has or soon acquires executive ability. Second, the examinations for other than mere clerical work, under the National Civil Service Commission, have more and more come to involve an inquiry into the past experience and ability of the candidates as shown in previous employment. How is executive ability secured in ordinary business? Is it not through inquiry? Inquiry can be made by suitable questions, put first to each candidate, and then to his former employers, directed to the number of men each candidate has had under him, the salaries he has received, the kind and magnitude of the work put in his charge, and the

success with which this work has been carried out. From such information candidates can be tested and graded for their executive ability quite as well and systematically through the Civil Service Commission as by the agents of a business corporation.

Even more directly the examinations may test executive ability. When one of the new scientific bureaus was being established in Washington, it was found that the head was included within the classified service. The Commission was asked to make an exemption on the ground of the exceptional executive and organizing ability required. The Commission, however, held an examination, one part of which was a written essay on the best manner of organizing the office under the law, within the fixed appropriation, and with a view to the objects to be attained, the balance of the examination being mainly as to past experience and the necessary scientific knowledge. One of the essays was a remarkably able one, and the author being among the highest three, was selected for the vacancy. The office was established according to the plan thus outlined, and is now one of the best organized bureaus of the Government.

The United States Civil Service Commission has since then filled with success numerous important "positions requiring the highest character of technical and professional training, together with long experience in the discharge of important supervisory or administrative duties in connection therewith." These positions have annual salaries varying from \$3,500 to \$4,500.

If part of the examination for street superintendent should be a written essay on possible improvements in the organization of the office, on the best way of laying out the appropriations under existing conditions with a view to the future, the best way of procuring results, how far through contracts, and how far by direct employment, and the like, what a grand opportunity of securing, through this means, a very high order of executive ability!

Can such bodies be trusted to act honestly? First, their members hold positions during honesty and capacity. They have no other backing but their own merit. Second,

thorough scientific training tends to honesty of thought. As a rule, the dishonest man is rarely a hard worker, but one who, by devious byways and short cuts, seeks to avoid the hard road to success. Third, more reliable investigation is made into the character of applicants for important places under the civil service reform system than by a method of partisan appointments. Fourth, hardly a worse method could be conceived of for appointing such higher officials than that usually applied in America. They are either elected by a city council, or subject to its confirmation. Fifth, the United States engineers, under whom the great river and harbor improvements are made, the United States Navy officers, under whom the repairs, and sometimes the building, of ironclads are made, the Paris engineers, and other such bodies, have maintained the very highest character for honesty and integrity. Sixth, the record of character of competitive appointees in the United States has been very high: nowhere better shown than in the recent Post Office scandals. No one of the officials who have been indicted was appointed under competition, but, on the contrary, they were all appointed by methods sometimes in evasion of, and always repugnant to the civil service act, and which the act seeks to remedy.

Three of the chief evils we find in municipal politics exist in connection with, first, patronage; second, contracts; and third, franchises, licenses and concessions. Where the merit system exists in our municipal departments, we have applied it to the body, and have exempted the head. These exemptions, with numerous others, on the ground of being "confidential" or financial or inapplicable, have left a lucrative patronage in all our municipalities well worth fighting for. Even under reform municipal governments, notwithstanding the protests and warnings of civil service reformers, large amounts of patronage have been left out of the civil service rules, which, like the treasures King Hezekiah, in his pride, showed the emissaries from Babylon, were but prospective spoils to induce invasion.

In addition to the spoils of office, there are the fat

jobs from city contracts. All laws requiring competitive bids are of no practical value. Split contracts, straw bids, vast extras, substitution of inferior materials, are some of the well-known evasions. Under the Paris system, all city contracts are fairly awarded and honestly enforced by the permanent boards of trained experts appointed by merit and free from political influence.

The grants of all concessions, privileges and franchises in the Paris system, are passed on by the same boards of municipal experts, only in the case of the larger franchises, these are subject to the approval of a national board of the same sort of non-partisan experts. In all the modern history of the granting of franchises in Paris, from the old omnibus to the recent underground, and of all privileges from the street peddlars to the electric telegraph and telephone, the rights and convenience of the people have been guarded, the public treasury has been well paid, and the corporations and licensees fairly dealt with. Indeed, Mr. Albert Shaw considers that in this respect, perhaps more than in any other, Paris deserves to be called "the model city."

That in France politics has not been wholly free from the taint of corruption is all the more encouraging to the plan of safety only through a permanent, expert, high grade civil service.

In Paris they have put only the heads and those near the head of their municipal system under the merit plan, and the bodies, the subordinates—take care of themselves. We have put the bodies under the merit system, and have left the heads of departments in politics. Consequently the heads are mostly spoilsmen. They seek to avoid the civil service law. They are constantly fighting the civil service commissioners, whom they frequently outwit. The departments are demoralized. The more efficient subordinates see the heads to be inefficient and ignorant of their duties, political buccaneers, levying toll wherever they can for party purposes. The subordinates see evils existing which they have no power to right, and which, without insubordination, they cannot bring to public view. If we had to choose between the two, would it not be better for

us to apply our reform to the heads of departments rather than to the subordinates? Indeed have we not found in practice that it is very difficult for the tail to wag the head? It seems to me that the head is the proper place in which to put the brains. In Great Britain, in the national service, the merit system is applied to both head and body, divided by the Playfair plan. In the English municipalities, no competitive method is used at all, but the principal of the merit system is applied to the selection of the heads of the departments, and they are given free scope in the employment of subordinates.

Suppose for a moment that all patronage, from the lowest to the highest appointive positions were removed from politics, that all public contracts were honestly awarded and enforced, and all franchises, licenses and concessions were granted with due regard to the comfort and convenience of the citizens, the wealth of the public treasury, with fair treatment to the corporations and without "graft." What would be left to tempt those to enter politics who "go into it for what they can get out of it"? While, on the other hand, able and successful men, who now, as a rule, keep away from city halls, will then gladly enter the higher, permanent municipal service. If such a consummation, devoutly to be wished, is possible, does it not excite the imagination and arouse the enthusiasm? If there is any truth in what I have said, and any common sense in trying to achieve it, is not the next work for municipal and civil service reformers the securing of the merit system in the selection of the higher municipal officers?

MR. MCANENY: I think, Mr. President, that Mr. Dana has put his finger on the weak point in the system under which we at present attempt to fill higher offices through competition. There has been, on the whole, too much dependence upon the written examination at the start, and too little upon those requirements of preliminary service and special education that have made the European plan so successful as against our

own. We are met as we attempt to enforce the rules in the higher offices with the counter claim of the appointing officer that the element of executive ability, on which so much importance naturally is laid, cannot be determined by examination; that when men compete against each other on paper merely the result is by no means a complete indication of their relative merit, of their relative ability for that kind of work, and, in a degree at least, that is necessarily true. The limitation is inevitable. I think it is also true that the result of competitive examinations, as shown by the men on probation, has always indicated that, in the great majority of cases, the best men have come to the toprelatively the best men, and that the exceptions are few. But this objection will have to appear to have some force until we have a more complete system of preliminary requirements enforced by law. In New York State, as you know, there is a constitutional provision which requires that all appointments, without any distinction whatever, shall be made for merit and fitness, and which proceeds to require that so far as practicable that merit and fitness shall be ascertained through examination. Our highest court in a recent decision, that is the Court of Appeals, has construed its words "so far as practicable" in this sense: that none are necessarily exempt from all examination, but that in some cases an examination will not in itself be sufficient; that "so far as practicable" in those cases shall imply an examination going as far as it can and supplemented by other requirements that will be satisfactory. It may not be unlikely that within the next two or three years we may find a way to inaugurate a movement for the improvement of our law which will permit it to take in and assimilate with better satisfaction to us these higher places, and I am sure that the progress we make must be along these lines. As Mr. Dana points out, in Paris or other large continental cities there are no strictly

competitive examinations testing the ability of the men put in higher places; their selection is based almost eutirely upon these strict requirements of education and training, supplemented, in some cases, by competitive examination.

MR. RICHARDSON: We have heretofore generally discussed appointments made by officers or by boards. I think the time has come when we should advocate the extension of the civil service reform principles to the people in many of their appointments, or, in other words, elections, and especially that is the case in municipal offices—such men as the mayor and council; that we should try to get the idea disseminated among the people, the voters, that they should select their men for prominent positions on the merit principle. It seems to me the time has come when we should advocate that idea.

MR. WILCOX: I should like to say a word in support of the idea which underlies Mr. Dana's paper and with special reference to the conditions which exist in the State of New York, with which I am more familiar far than I am with conditions in the Federal service or the service in any other State. I believe thoroughly we shall never have an efficient administration of the merit system until the heads of offices are selected absolutely on the basis of merit. No matter how far we attempt, by form of law or by form of examinations to safeguard minor positions, if heads of offices are themselves in antagonism to the merit system and feel all the time the necessity of themselves filling subordinate positions, there will always be contests, always be friction, always be an effort on the part of heads of offices to belittle the amount of good the merit system and civil service commissions do; public opinion will always be misinformed about it and the merit system will never work smoothly. We have got to have heads of offices selected on that

principle before we can have complete success. On the other hand, heads of offices cannot always be selected best by open competitive examinations. What can you do then? I understand the foreign systems do not admit everybody to these examinations or permit open competitive examinations on the part of individuals and mere paper examinations to settle who shall be put in these higher offices. In the State of New York our Constitution contemplated this situation and provided for it by providing examinations—and I believe this will be the final solution of the difficulty—for promotion for merit, supplemented as far as possible by competitive examination for these important positions. The Constitution of New York declares, as everybody here remembers, that not only appointments to office, but promotions, shall be based on merit and fitness, to be ascertained as far as possible by examinations, which as far as possible shall be competitive. There you have in a very few words an outline of the idea which I think we must take up before we can advance much farther than we have yet done in the State and in the city service of New York, and before we can have very effective results, and in order to have an effective system of promotion we have got to get rid of one idea which atpresent prevails in almost all our State civil service systems—the idea of local preference. We have in the Buffalo civil service rules, and in the rules of a number of other cities, a provision requiring that before a person shall be eligible to enter an examination he must be a resident of the State for a certain length of time. The whole State service and all subordinate positions in the State or a city like New York should be an open field from which the best men should be picked out on the basis of merit for promotion to the highest positions and in that way I think we can get a system which will admit of filling these higher positions on a basis of merit and at the same time get rid of the narrow restrictions which simply competitive examination might put upon it.

MRS. LOWELL: I should like to add to Mr. Dana's very valuable and interesting recommendations one which seems to me almost equally important, viz: that States and cities should not be obliged to select their public servants from among their own citizens, but should be allowed to seek the men and women best fitted for the work to be done, wherever they may be found.

DR. GILMAN: Right here in the city of Baltimore we have a Superintendent of Schools, a gentleman of the highest merit and distinction, who was absolutely unknown to anybody in Baltimore until he came here. He was recommended to the Baltimorians by the best educational authorities they could possibly consult far and wide. I need not say there have been influences at work against him based upon the fact that he came from the State of Colorado.

MR. WILCOX: The position of Superintendent of the State Reformatory at Elmira is perhaps one of the most difficult positions to be filled in the whole State of New York. I have some knowledge of that institution as I was a member of the Board of Managers for six The position had been unsuccessfully filled by men selected from within the State of New York and the trouble was finally settled by the selection of a man from Massachusetts, who was, I believe, chosen absolutely for merit and because of his success in the management of an institution in Massachusetts of like character. Another illustration is that of the managers of the new State Hospital for Consumptives at Raybrooke, New York, who created an entirely new system for that institution and insisted upon it that the head of it should be chosen by promotion from subordinate positions and through the instrumentality of competitive examination, and insisted that they be given an opportunity to make the appointment with a free hand. A

competitive examination for that position has already been advertised to be held in the near future. The limits of the class from which the position could be filled were not very closely prescribed in the notice of examination, except by providing that experience in like work should have a rating of at least 50 per cent. which practically limits it to employees of like institutions.

Some Object Lessons.

HON, CARL SCHURZ.

PERMIT me a few remarks on some aspects of civil service reform which, indeed, are not new, but cannot too often be pressed upon public attention.

The reform of the civil service, as we advocate it, aims at two objects: To secure to the people an honest and efficient public service, and to eliminate, as much as possible, the demoralizing element of patronage and political and personal favoritism from out political life. The first is accomplished by subjecting candidates for public employment to examinations and probations testing their fitness for such employment; and the second by making such examinations competitive, so as to give the fittest man the best chance for appointment and to exclude appointment by favoritism, personal or political, and thus the use of the office concerned as party spoil. This is not a matter of abstract theory, but of simple practical common sense.

We do not pretend that civil service reform, if ever so successfully carried on, will prove a panacea for all the ills the body politic is heir to; that it will furnish a public service in point of efficiency and honesty absolutely perfect; or that it will entirely banish from public life corruption and the use of official power and opportunity for ends of private selfishness. But we do maintain that, so far as public employments have been subjected to civil service rules of this character, and so far as these rules have been enforced with faithful thoroughness, the public service has been greatly improved in point of efficiency, honesty, and general character. This is no longer a matter of conjecture, but of actual experience, recognized by every fair-minded man. Civil service reform has with signal success passed the period of uncertain trial. Every executive

officer is now compelled to admit—and the more conscientious he is, the more emphatically he will admit it—that those branches of the public service in which the civil service rules, and especially the competitive principle, are most strictly enforced, the work to be done is most attentively attended to and most satisfactorily performed. And although it has been asserted by the detractors of the merit system—and with an appearance of truth—that competitive examinations cannot test a candidate's integrity of character, many years's experience has proved beyond question that among the public servants who entered the service upon competitive examination, the number of cases of official dishonesty has been infinitesimally small compared with the number of such cases among those who obtained their places by mere political influence or favoritism.

We have in this respect just now a most instructive object-lesson. You have heard of the Bristow report on the scandals in the Post Office Department, and of President Roosevelt's memorandum accompanying the publication of that report. If you have not read these documents, I advise you to do so without delay. You will find that the President did a most meritorious thing in ordering an investigation of certain branches of that department, in seeing to it that this investigation be thorough, and in publishing the results of it. You will also be struck with the fact that of all the public servants who were, in consequence of that investigation, indicted for fraud or other malfeasance, not one had come into the service by regular competitive examination. Only one had gone through a competition, not for entrance, but for promotion. All of them had originally obtained their appointments by political influence or personal favor. And it is to be noted as peculiarly significant that in several cases the positions to which they have been appointed, were excepted from the competitive rule on the ground so solemnly insisted upon by the patronage monger, that they were places of a confidential or fiduciary character requiring a peculiar degree of integrity and trustworthiness, of which no competitive examination could furmish adequate proof, and the ascertainment of which must therefore be left to the enlightened discretion of the appointing officer—that is, to the recommendation of some influential politician. And of the persons who had to leave the service, either by resignation or removal, for some minor delinquency, only three had entered it through the portal of competition.

The reason for all this is simple. Men's motives of conduct are not seldom seriously affected by the circumstances under which they live. The person appointed to office under the old spoils system usually obtains his place as a reward for political service rendered or in expectation of some political service to be rendered. He knows that he has more or less powerful political influence behind him. As that influence put him into office, he relies upon that influence to keep him in office also, in case his conduct be not as good as it should be. And usually that reliance is not misplaced. I speak from personal experience. When I was Secretary of the Interior I never removed a clerk for inefficiency, or habitual drunkenness, or other misbehavior, without being rushed upon by one or more Congressmen, sometimes even United States Senators, who vociferously insisted that the delinquent must be restored to his place; and when I refused, which I always did. I was often violently denounced as an official who did not understand his business; and I was even now and then threatened with dire consequences. It requires only the plainest common sense to see that such a system is not likely to inspire the person so appointed to office with a keen sense of official responsibility. It will not incite him to do his best or to be scrupulously correct in his conduct. It will rather encourage the idea that he has been put in office to give him a comfortable berth, and that, if, in trying to make a good thing of it, he does something reprehensible, there will be influence behind him powerful enough to get him out of the scrape. It thus throws temptations into his way very dangerous to a character that is not fireproof. It is therefore not surprising that among the public servants so appointed there should be so many going astray to a more or less serious extent, as shown

by the recent report on frauds. But the real wonder is that, considering the seductive opportunities, there should be so few of them. For it must be admitted, that even under the spoils system of appointment a great many of the public servants have done their duty, as they understood it, and kept their integrity intact. But it must be kept in mind that—to the honor of human nature, be it said—they did this, not owing to the prevailing system, but

in spite of its demoralizing influences.

Now, on the other hand, contemplate the situation of the public servant who has entered upon his place through the portal of the competitive examination. To begin with, he is proud of owing his success not to the favor of anybody, but to his own personal merit; and there is nothing that stimulates a healthy ambition more than just pride of achievement. There is no "influence" behind him to keep him in his place, and to protect him against punishment if he misconducts himself, or to help him higher up. His tenure of office, as well as his chance of advancement, depend in a well-regulated merit system entirely upon his deserving. He knows that he will not have what he has not fairly earned, that there is no impunity for his failings, and that he will stand and rise, or fall and sink, solely according to his merit.

There we have, then, between the two kinds of public servants, a difference of motive which only the blind cannot see. On the one side the public servant appointed and kept in office by favor and influence, tempted by his circumstances to do his worst; on the other side the public servant who owes his place and his chance of advancement to a competition of merit, stimulated by his circumstances to do his best. The report of the Post-Office

Department scandals illustrates the result.

Another object-lesson has recently been furnished illustrating the effect of the spoils system upon the morality of legislative bodies—Congress in particular—and upon party action. The Bristow report gives us the picture of a Congressman from Georgia, a Democrat, Hon. Leonidas F. Livingston, who looked for a place, or rather a salary, for a friend of his, without running the risk of a

competitive examination. He hit upon the ingenious plan of having his man appointed a clerk in one of the small post-offices, at Conyers, in his State, where a competitive examination was not required. The postmaster at Conyers was willing. But the expense allowance for that small post-office was only \$100. This, however, did not discourage the Congressman, for he had a powerful friend in the Department, Mr. Beavers, who had charge of such matters, and who is now under indictment. Mr. Beavers, at the instance of the Congressman, had the allowance of the small post-office at Convers raised from \$100 to \$820. The required salary for the friend of the Hon. Leonidas was thus obtained, and the clerk was appointed to draw \$720 a year. Of course, the clerk had nothing to do at Convers except to draw his salary, which he faithfully did. He was then transferred to another office, thus circumventing the competitive rule, whereupon the allowance to the little post office at Convers was dropped again to the old figure, \$100. The clerk is probably still lodged in a comfortable berth somewhere, laughing at the circumvented civil service rules.

A similar case happened in the State of Maryland. The Hon. Albert A. Blakeney, one of your Republican members of Congress, wanted a salary for Miss Ethel W. Colvin, without exposing her to a competitive examination. He also hit upon a small post-office at Port Deposit, Maryland, the allowance of which was only \$60. This, of course, would not do. Then the Hon. Blakeney summoned Mr. Beavers to the rescue, who promptly raised the allowance of the little post office to \$500, on account of "increased business." But lo! the postmaster at Port Deposit was not found willing to co-operate in the corrupt deal. He positively refused to appoint Miss Colvin to an unjustifiable salary, and as poor Miss Colvin could not thus be provided for, the "increased business" vanished from view and the allowance to the little post office was set back to the old figure of \$60. If such a thing were possible, the postmaster at Port Deposit should be promoted to a higher place for distinguished bravery in the presence of the enemy. But it is much more probable

that the Hon. Albert A. Blakeney, Republican member of Congress from Maryland, has found that postmaster an entirely unfit person for his place, who should be removed for incompetency.

The Bristow report mentions other cases of the same kind; but there are, no doubt, a great many similar ones not mentioned, and perhaps not yet discovered. what does this mean? Here we see members of Congress, Republicans and Democrats—for spoils politics know no distinction of party-corruptly filching unnecessary and uniustifiable salaries from the public treasury to provide for some favorites, and doing this with the aid of a high officer of the Government, himself appointed by "influence" and thus a creature of the spoils system. And there we see that officer of the Government "obliging" members of Congress and "making friends" of them by carrying out the corrupt transactions, and that officer robbing the Government in his way for his own profit, and relying upon his friends in Congress to protect him in return against discovery and punishment. Mr. Beavers is reported to have said that he had Congress in the hollow of his hand; and I should not wonder if the report were true. At any rate, he and all the other malefactors in the Post Office Department thought themselves similarly fortified, for according to the Bristow report they carried on their business of "getting rich quick" with a recklessness which can hardly be explained on any other than the theory that they expected their many obliged friends in Congress would prevent any investigation thorough enough to find them out for fear of being found out themselves. Indeed, there have been Congressional investigations of the Post-Office Department, by the Senate, as well as the House, but they always stopped short of the evil doers who, knowing too much, held Congress in the hollow of their hands. So much more credit is due to the executive who let light into the dark places.

Now it is to be hoped that the operation will not stop with the punishment of the culprits already discovered. In the first place all the patronage mongers in Congress who have seduced officers of the Government into crooked

dealings, should be exposed to public view. There are, it may be hoped, not many of them. But the efforts which are said to be making in Congress to withhold the whole of the papers connected with the Bristow investigation from public knowledge, after the notorious failure of Congressional investigations, create, as the matter now stands, a very general suspicion which the innocent ones should consider it a duty to themselves to dissipate as much as possible by exposing the guilty. It might in this case be in the public interest in some way to assure the indicted officers of immunity if they will tell all they know, no matter whom it may inculpate. Such a disclosure would serve to fortify many a shaky virtue for the future.

But of still greater value will it prove, if the system be wholly uprooted which made such scandals possible. Every crevice and cranny in the general civil service regulations which makes a circumvention of them in any way possible, should be most carefully closed up. President Roosevelt has stopped many of them, but perhaps not all. But more, every position under the government which by any possibility can be put under a competitive rule should be rescued from the reach of spoils politics. And above all things, an end should be made of the most baneful curse of all—the unconstitutional interference of Senators and Representatives with the responsible exercise of the executive power in making appointments-in other words the curse of the so-called Congressional patronage a curse to the executive, a curse to the public service, and a curse to the Senators and Representatives themselves. Indeed, they will secretly admit it to be a curse to the very men who exercise it.

I know indeed how difficult it will be to do away completely with this abuse, which will be a prolific source of demoralization so long as it exists. But it can be greatly mitigated as to its effect by restricting the area of patronage to the narrowest possible limits. Thus, for instance, the appointment and tenure of fourth-class postmasters, of whom there are nearly 70,000, and whose nomination does not require the consent of the Senate, might be subjected to such civil service regulations as would relieve



them of the feudal lordship which is exercised over them by members of Congress. To what scandal that lordship gives birth we find illustrated in the Bristow report, as well as in the arbitrary removal of Huldah B. Todd in Delaware at the mere request of the Addicks Senator. Indeed, in this case, which has called forth so universal an expression of disgust, it is maintained by civil service reformers, among them one of the National Civil Service Commissioners, that the existing civil service rules actually did protect fourth-class postmasters against arbitrary dismissal for political reason. And I do not hesitate to say that by confirming and practically upholding this construction of the rules, and by so regulating the appointment of these postmasters as to withdraw them from Congressional patronage and influence, the President would, as to ultimate effect, do a greater service to the cause of reform than by all the other good things he has already done for it.

I cannot close without presenting to you another object-lesson strikingly illustrating the effect of the patronage and spoils system upon the morality of political parties. As you are aware, we had a municipal election in the City of New York a few weeks ago. The issue was whether the citizens of New York would continue the administration of Mayor Low, which on the whole has been a very good one—in fact the best we have had for many decades—or whether they would return to Tammany rule which, the world over, is reputed to be a government of graft and blackmail. There being ordinarily a large Democratic majority in New York, Tammany could be defeated only by a union of the Republicans with independent and anti-Tammany Democrats. The Republicans entered into this union of forces with apparent ardor, which was no doubt sincere with a great many of them. But somehow or other Tammany triumphed in the election, and it was noticed that in some strong Republican districts the Republican vote had greatly fallen off-whether enough or not, to give Tammany the victory it is unnecessary to inquire. The falling off was an unquestionable fact.

The leader, or rather the boss, of the Republican or-

ganization was Thomas C. Platt, a Senator of the United States. After the election he expressed his thoughts and feelings about the result in this characteristic fashion: "The November vote in New York is no surprise to me. The people did not want Low, and the Republican party gave to him quite as much support as he had any right to expect at its hands. Although (two years ago) it contributed over 75 per cent. of the vote that made him Mayor, he did not give the Republican organization three per cent. of the patronage. . . . I did not see Mayor Low once from the night of his nomination to the day of election. He never sent for me nor asked for my assistance. I supported him, but without hope of his election."

Now contemplate this spectacle. Here is the leader of a great party engaged in a most important contest. The character of the government, the welfare of the greatest city of the republic, one of the greatest cities of the world, is at stake. But this is nothing to him. All he thinks of is not the interest of three and a half millions of people. not the prosperity and good name of one of the world's most important emporiums of commerce and industrywhat he thinks of is simply the spoils of office-patronage. And he actually does not blush to say so. The candidate representing the cause of good government in that contest has not given his organization more than three per cent. of that patronage. He does not assert that the appointments of the Mayor have been bad, injurious to the public welfare. He cannot assert this, for they are known to have been uncommonly good. But that is not what interests him. In his opinion not enough of the spoil of office has been given to his henchmen. The good government candidate has not even during the campaign "sent for him" to ask for the party-boss's assistance, and to bargain with him about his share of the spoil in case of victory. That was reason enough for the party-boss to give the cause of good government only so much support as its candidate "could expect," and to contemplate defeat with perfect equanimity. For what he cared, the great city and its important interests might go to Tammany unless he was assured of a good percentage of the spoil. Did you ever

hear of a more cynical confession? And the man who made this confession has for many years been the almost omnipotent leader of the Republican party in the State of New York, who ruled the Legislature according to his political interests, whose favor or disfavor made Republican politicans rise or fall, and who controlled the most important part of the Federal appointments in that State, even under the present administration. He is said to be now succumbing to a new State-boss stronger than he.

We must at least thank him for having furnished us a most instructive object-lesson as to the effect the spoils system, the patronage-trade, is apt to exercise upon the leadership and the moral spirit of political parties—for the Hon. Thomas C. Platt is by no means the only potentate of his kind. There are others in other States fully as powerful and fully as vicious. There will be such in every State if the demoralizing influences which are bred and stimulated, among other causes, by the spoils system, are much longer permitted to corrupt and degrade political parties. The general, or even an extensive, use of the public offices and employments as party spoil cannot fail to make our party-contests, which should be only struggles for the prevalence of different principles and policies, in greatmeasure scrambles for public plunder; it is almost certain in the long run to make the most selfish and unscrupulous element in the party organization, which is usually the most alert and active, the most influential one, and then that leader of the party who succeeds in becoming the general distributor of the spoil, will, as paymaster, easily develop into the boss with a well-organized machine of spoils-fed henchmen behind him. The party leader will then be, not what he should be, a leader of opinion, but a mere captain of organization; the organization will be held together by what is picturesquely called "the cohesive power of public plunder," and it will be conrolled by the ever alert element of the habitual spoils This means the utter demoralization of party activity, making the party unfit to be an agency of good democratic government-in fact, making it a danger to democratic institutions.

This development becomes so threatening that it is the highest time to put a stop to it; and one of the things necessary to put a stop to it is the destruction of the patronage business by placing the public service out of the reach of spoils politics. This can be done by putting all—I say absolutely all—the public employments to which the civil service rules can, under the Constitution, be applied, under those rules; and this is to be supplemented by such action on the part of the Executive as will establish, concerning the offices beyond the reach of legislation, rules for his own guidance based upon the merit principle, which will altogether make an end of the usurpation of the appointing power by members of the legislature, and thus destroy the patronage. This may have a very radical sound; but deep-seated and far-reaching evils demand thorough-going remedies, and we must not indulge in any delusion about this: So long as public offices are a matter of patronage to any extent, so long will that patronage exercise a demoralizing influence and constitute a most serious danger to the working of our democratic institutions. I say this as one who has had much experience of public life, official as well as unofficial, and I have reached this conclusion as the result of long and careful observation without the slighest bias of partisanship or pride of opinion.

What I have said of our National Government applies, of course, no less to the governments of our States and of our municipalities—especially those of our large cities in which spoils-politics have already wrought uncalculable mischief and threaten to work more. Indeed the governments of our large cities have become a matter of national concern, and no man can call himself a consistent friend of good government in general and a faithful defender of the Nation's welfare and good name, who would not apply the same rule that he thinks good for a department official or revenue clerk, also to our police officers, firemen and school-teachers. He who condemns the evils of the spoils system in the National Government and condones them in the home politics, which most nearly touch the

people, will have no reason to complain if his sincerity is suspected and he is called a sham reformer.

I am aware of the objection to all this: that democratic government is necessarily government through political parties: that without the spoils of office as rewards of party service, political parties cannot be held together; and that, therefore, the abolition of the patronage would strike at the vitality of democratic government. This is a fallacy, conclusively proved to be such by our own history as well as by the existence of political parties without patronage in other countries. At the beginning of our own Federal Government there was no distribution of offices as party patronage, and yet there were political parties according to the difference of opinion on principles and politics. And those parties were very spirited and active. In England there was once political patronage in our sense, and it brought forth the characteristic crop of profligacy and corruption to an alarming degree. The patronage was thoroughly abolished and has not existed there for a considerable period. But there are political parties as before, only far purer in morals and more public-spirited in their activity. In Germany there are political parties without the slightest vestige of party patronage. Who will dare to say that only the citizens of this great republic have become so depraved as to be incapable of forming and maintaining political parties without being paid for it with the spoil of office? The man asserting so outrageous a thing should be denounced as a wicked slanderer of his country and people. Evidently there will be political parties after the abolition of the patronage, but they will indeed be different from the parties we have now. They will no longer be held together by "the cohesive power of public plunder," but by the cohesive power of certain principles and policies, which their members hold in common, and for the prevalence of which they will together exert themselves. There will be party leaders, but they will be leaders of opinion, not mere captains and paymasters of organization. As to that matter of leadership, I am indeed not sanguine enough to expect that our model boss, Senator Thomas C. Platt, will, by the abolition of the patronage, be made a public-spirited and statesmanlike party chief. It is much more probable that he will not be a party chief at all. He and his kind will have to go out of the boss-business, for, there being no more spoil to distribute, they will have nothing more to do. Nor do I think that thereby the public good will suffer any loss. Their places will be taken by men who have something valuable to say concerning the public interest and who care for it.

I do not predict that the abolition of the patronage will give us absolutely ideal parties and ideal leadership. But it will relieve our political parties of one of their most serious defects, and bring them much nearer to the standard of what they should be. Neither do I think, as I have already said, that civil service reform, be it ever so thorough, will cure all the ailments of the body politic, for there are evils other than the spoils system, which seriously threaten our democratic institutions. But I do believe that civil service reform, by destroying the patronage and thus eliminating from political life one of those active elements of sordid selfishness, which divert political parties from their true functions, will render those parties much more fit to deal with other important problems, and thereby greatly facilitate their successful solution.

While not indulging in the delusion that all the difficulties and obstacles standing in our way will yield at once, or that we can clear them at one great jump, we have good reason to be encouraged in our efforts gradually to overcome them. Civil service reform is happily not a partisan affair. It is neither Republican nor Democratic in a party sense. On each side of the dividing line it has its friends as well as its adversaries. Each party has at times declared itself emphatically in its favor, and certain elements in each party have sedulously co-operated with similar elements in the other party to nullify those declarations. In spite of their incessant and wily manoeuvers we have steadily gained ground, now more slowly and then more rapidly.

The progress of our cause has sometimes received a powerful impulse from events which startled the popular conscience. We are in the presence of such an event now.

The corruption and rottenness recently revealed as having long existed in some parts of our Government machinery, and frankly denounced by the President himself in his message, are sufficiently alarming to shake the many well-meaning people who so far have put aside our appeals with apathetic unconcern, out of their indifference. The most confirmed optimists can now hardly fail to open their eyes to the fact that in the description of existing abuses and evil tendencies, we have rather understated than overcolored the truth, and that those abuses and evil tendencies, unless counteracted by thorough reforms, are certain to produce still greater mischief and shame. We can now confidently call upon all friends of good government in the Republic, at least to inquire into and study the measures we advocate, with open minds. It would be strange, indeed, if the shocking object-lessons staring us in the face to-day did not quicken the pace of our advance.

The Future Work of Civil Service Reform.

HON. ALFORD WARRINER COOLEY, UNITED STATES CIVIL SFRVICE COMMISSIONER.

I CONSIDER it a very great privilege to be invited to fol low one of the pioneers of the civil service reform move ment at this afternoon's meeting. Whatever progress has been made in the cause we all have at heart is due in large part to the courage of Curtis and Eaton and Schurz, and to their unselfish devotion to high ideals in the administration of public affairs, and surely we have no reason to feel discouraged over our past or to look forward to the future except with high hopes of still better things to come.

Civil service reform is now an established fact. By that I do not wish to be understood as saying that there is not much still to be done, but even among those most opposed to the merit system there is a general acquiescence in the idea that the civil service law and rules are now a part of our political system, and that practical men of affairs should prepare to adjust themselves to existing conditions; and so, in spite of the many obstacles that still confront us, we can feel that this annual meeting may well be a period of congratulation for the splendid progress made towards those ideals which the League has striven so earnestly to attain.

I want to address myself this afternoon particularly to the college men, because on your shoulders and mine, my friends of the University, will rest the burden of carrying forward to complete fulfillment the aims and the ambitions and the dreams of the early advocates of the cause. What is there still for us to do? First and foremost, and certainly most important of all, we should bend our energies toward a rigid and impartial enforcement of the spirit of the law. It is not necessary to be unduly technical or captious, but we can reasonably ask that politics be entirely eliminated from the business affairs of the gov-

ernment, and that every employee whose work is purely administrative in character be selected without regard to political considerations of any kind. We should endeavor to take a sensible and practical view of public affairs and to make the conditions of public employment conform as nearly as possible to the conditions existing in private business. It is the earnest desire of the Commission that every Federal officer who is honestly trying to administer his trust without fear and without favor, honestly and impartially, should feel that his best friends and most steadfast allies are the members of the Civil Service Commission. and that the civil service system is for the purpose of relieving him of embarrassment and enabling him to carry on the work of his office in the interests of the whole people. He should be made to feel—and in most cases. I think, under existing conditions he understands that if he is sincerely desirous of securing the best possible service the Commission will meet him more than half way and will do everything in its power to assist him; but on the other hand, if he attempts to drag politics into the conduct of an office, where politics have no place and where any yielding to political pressure involves a violation of his oath of office he must be made to understand that towards him the Commission can not and will not show any toleration.

The civil service law and rules provide a simple and easy method of securing suitable employees for the government service. There have been instances where the competitive examination has not resulted in securing the very best eligibles, but such cases are so rare that they merely go to prove the general excellence of our registers. It can, I think, be established beyond any shadow of reasonable doubt that no single force has been so potent in bringing American people nearer the goal of honest and efficient administration than the gradual growth of the merit system during the past twenty years. It is frequently argued that the civil service law creates life tenure of office and that under it removals are well-nigh impossible. Nothing could be further from the truth. I ask you to notice that there is nothing in the law or rules

in any way preventing an official from removing a subordinate from the public service for any reason affecting his efficiency. The only possible restriction is that contained in Rule XII, which provides that no person shall be removed from the competitive classified service except for such reasons as shall affect the efficiency of that service. and then only after the person sought to be removed has been furnished with a copy of the charges and given a reasonable opportunity to make reply. Nothing in the rule provides for a hearing of any kind or gives the employee any right except to explain away, if possible, the charges against him. If the explanation is not satisfactory to the head of the office the matter is closed and the person under charges may be instantly removed from the service, without any power on the part of the Commission to interfere. I feel that the theory of the rule is a sound one, and that the power of removal should not be further restricted. The last thing the Commission should attempt is to interfere with the discipline of any public office, and to unduly limit the power of removal would necessarily have that effect. And let me, in this connection, state one fault I find with our present civil service system. My brief experience in the Commission leads me to believe that it has centered too much around the idea that it was designed to protect the rights of the individual employee and too little around the fact that it was adopted to improve conditions of administration. In saying this I do not desire to be understood as in any way criticising the phraseology of either the law or the rules. After a system of political proscription it was inevitable that this theory should prevail, when, as is still the case, the rights of the individual employee were protected to some extent and the right of indiscriminate removal and indiscriminate appointment for reasons having nothing to do with the good of the service was put an end to.

In the immediate future I believe that the most pressing need of the Commission is a more efficient organization of its work. When the law was passed in 1883 the number of places in the classified service was comparatively small. The office force of the Commission consisted

of but a few clerks on detail from the different departments. We now carry on our rolls about 120 clerks, in addition to a few on detail from the departments. There were originally 13,000 places in the classified service. There are now over 130,000. All officers and employees except those whose nominations are subject to confirmation by the Senate, fourth-class postmasters, and laborers are now in the competitive class, with a few scattering exceptions. When the law first went into effect the work of the Commission throughout the country was conducted by employees in other branches of the service who, under the law, were required to give a limited portion of their time to the work of the Commission, when detailed to do so by the official under whom they were serving. Originally the time taken for our work was but a small proportion of the time given by such employee to the work of the Government. With the growth of the service, however, either all or a very large portion of his or her time must be given to civil service matters. We find that there is a very general complaint throughout the country that clerks carried on the rolls of the departments are being called upon to give too much attention to civil service matters. We feel that this criticism is entirely justified, and we also believe that the scope of our duties is so great that we should have our own force in the field. responsible to us alone, and, what is far more important, that we should have an intelligent system of supervision over our boards, which now number 1,225. Accordingly, we are planning to establish civil service districts which shall cover a considerable area of territory, and shall be managed by secretaries at various central points. For example, all Federal offices in New England with the exception of five counties are to be placed under the general jurisdiction of a secretary in Boston, who is to keep the records in his office in that city and whose duty it shall be, as far as possible, to be present at examinations and to make all certifications for appointment to the offices in his bailiwick. Another district will take in two counties in Connecticut, some eight or ten counties in New York in and around the greater city, and about half a dozen

counties in northern New Jersey. A third district will comprise the remainder of New Jersey, Delaware, and a large part of Pennsylvania. The Commission intends to have responsible men in charge of the work at these points who shall maintain most of the records and whose duty it will be to keep the office in Washington informed of what is going on in the field. The danger in our work is that we may get out of touch with actual conditions of administration and in a self-satisfied manner travel down the broad way to the destruction which is sure to overtake unpractical government bureaus. I am in hopes that in time Congress will give us a sufficiently generous appropriation, not only to permit the establishment of these districts all over the country, but to carry all employees of the Commission at the various central points on our own rolls. If this is done we may in time be able to occasionally transfer one of the clerks from our own office to one of our field offices, and to bring someone from the field force to Washington. In that way each branch of the work will be kept in touch with the other.

The laws and rules may be regarded as complete only to a very limited extent. All the intermediate places in the government service have, bit by bit, been brought into the competitive class, and now the Commission finds itself confronted with certain serious conditions. Under the law laborers cannot be in any way classified. A system of registration can, however, be established by the President, and this has been done, although the terms of Mr. Roosevelt's order have not yet been fully complied with. Under the law, also, officers whose appointments are subject to confirmation by the Senate are entirely outside our jurisdiction. The head of every large Federal office in the country is now a man appointed largely for political reasons. Run over in your mind the list of postmasters at the great cities of the country and think what an insignificant number have had any experience in actual post office work before being placed at the head of what is really a large business establishment. A man may begin at the bottom of the service in a given post-office, may gradually work his way up until he is perhaps a superin-

tendent of division, and then, just at the time when he becomes particularly valuable to the department, the road to promotion is blocked. Why is it not perfectly feasible and eminently sensible to ask that the department make a regulation to the effect that no man shall be eligible for appointment to a post-office employing, let us say, more than a certain number of clerks and carriers, or the revenues of which are more than a given amount annually, who has not had so many years' experience in the service? Possibly for the very large cities the regulation might also provide that no man should be appointed who has not had a certain amount of experience as postmaster in a somewhat smaller city, or as assistant postmaster at his own office. I do not believe that it is reasonable or possible to expect men appointed largely for political reasons to administer their offices on purely business lines, and in so saying I do not wish to reflect on the postmasters in the large cities, most of whom I believe to be doing the best work possible under existing conditions. But I do most distinctly and emphatically maintain—and I speak from some political experience—that it is quite impossible for a man who owes his appointment to political influences to entirely free himself from those influences on assuming the management of a great office controlling a large amount of patronage. There is nothing revolutionary or impracticable in this suggestion. It is only in accordance with the plan for appointment of collectors suggested by Mr. Fairchild when Secretary of the Treasury and with the recommendation of Postmaster-General Wilson that the First Assistant Postmaster-General should be a permanent official in the competitive classified service.

I was recently told of a postmaster at one of our large cities who, on a trip abroad, took occasion to drop in at the post-office at Birmingham, England. He was cordially greeted by the official in charge, who remarked to him that in view of the fact that the office over which the American presided was so large and important, he must have been engaged for many years in the postal service, and when told that he had been appointed from private life the previous year, the Englishman could not

understand how such a thing was possible. The post-office or the custom house at a city like New York or Philadelphia or Baltimore is a business institution, pure and simple. The postmaster or the collector need be in no way concerned with party politics, and surely he would be freer to excercise his own discretion as to what was best for the service if he was under no political obligations and felt that his tenure of office depended on his efficiency.

I have endeavored very briefly and very superficially to outline the task to which, in my judgment, our energies should be bent, and I trust that I have not appalled you with its magnitude. To me the future seems bright with the promises of splendid victories to come. The present Chief Executive was formerly a member of the Commission, and there laid the foundation of his great reputation. He has in no way changed his views or his attitude towards the law during the past eight years. Thanks to him the position of the Commission is stronger to-day than ever in its history. Never before has the law been so thoroughly and so vigorously enforced. Never before has there been so earnest a spirit of co-operation on the part of all the great bureaus of the Federal government. In the future much will depend on an enlightened public sentiment, and it is to the universities of the country, to the educated men and women, and to an intelligent press that we must appeal to assist in bringing our work to a triumphant consummation.

Practical Methods of Promoting the Merit System.

SAMUEL H. ORDWAY.

THE problems that confront us to-day differ materially from those with which the pioneers in the cause had to contend.

Those noble men, our early leaders, fought a square and direct fight for a great principle. Their foes were openly and defiantly hostile. It was flag against flag, man against man, contending in open and dramatic battle. The odds seemed hopelessly against them, and we may well wonder at and admire their courage, their constancy and their success.

For their fight has been substantially won. The main battle for the principle is over. That principle is now generally recognized as sound—certainly by the people generally, while even the politicians ostensibly assent to it.

But after every hard-fought war comes a period of readjustment and re-construction, in which the principles which have won the victory have to be applied and carried into practical execution, and justified by results. This is substantially the situation to-day, and that is why I have said that our problems differ materially from those of earlier years. Ours is a much less inspiring struggle. Ours is a sort of bushwhacking, guerilla strife, against those who pretend to be with us and are really against us. This means hard work, often uninteresting and wearisome work, a grind over details, but it is work that must be done, if we are to get the full benefit of the noble fight which has been made for the principle itself.

There is little to be gained now by spending our time in arguing for the principle of the merit system. He who does so will meet with general acquiescence, though it will be often perfunctory, and sometimes insincere. Our task is, rather, to press for the practical application of that principle, for progress and for results. Papers and addresses and resolutions are good in their way, but they will accomplish little by themselves alone; they must be accompanied by hard work, practical work, leading to practical results.

This practical work, and these practical results, which are so necessary to the assured success of our cause, seem to me to fall under three heads:

- I. Better laws and rules.
- II. Better enforcement of laws and rules.
- III. Better administration of laws and rules.

In this general statement you will all agree with me, of course. But how are we to accomplish these results? It is easy to agree on what we want, but the main thing is to get it.

We have had some experience in precisely this work in the State of New York, and it may be fairly said that we have made progress there. Therefore I venture to present my views as to certain practical methods of promoting the merit system.

I. How can we get better laws and rules?

You have probably all read Mr. Steffens' articles in one of the magazines on the government of certain of the larger cities of the United States. In a recent article on Chicago he seems to imply, though he does not squarely say so, that more real and stable progress toward good government has been made in that city than in any other large city in the country, and he says that this has been accomplished by adopting to some extent the methods of so-called practical politicians.

Those methods boil down to this: Keep at it all the time; get all you can, but take what you can get; get it in any way you can.

Keep at it all the time Don't be spasmodic in your

efforts, but watch constantly and continuously the administration of the laws and rules you have, if there are any in your locality, and all developments both in government and politics, so as to take advantage of any circumstances which may favor you. I do not mean that you should necessarily urge your proposed laws and amendments at all times, in season and out of season, but be always informed, always watchful, always ready to take advantage of developments.

Get all you can, but take what you can get. Of course, this does not mean that we should ever yield an inch so far as the fundamental principles of the cause are concerned. But in the details of execution and administration we must not carry our insistence upon what is good and

desirable so far as to lose more than we gain.

We are often accused of being theoretical and impractical. To some extent this is true. We know what we want and what we ought to have, and we are apt to insist upon that or nothing; as a result we frequently get nothing, when we might have got much that was good and useful, though perhaps less than we wanted and should have had. It may be very heroic, but it seems to me rather ridiculous, to nail your flag to the mast and to insist on sinking over some detail of the application of a principle, which principle itself is not in issue. Here I think we should adopt some of the methods of the practical politician; we should take what we can get, so long as it is better than what we now have. Let us always fight for the best possible, but don't let us be ashamed or afraid to take less than that, if that less is nevertheless something more than we have at present.

A straight line is the most direct and the shortest distance between two points, mathematically, but not always practically. Sometimes the direct line cannot be followed, but by tacking and zigzagging, we may reach

our goal.

Get it in any way you can. I hope it is unnecessary to say that this means in any honorable way you can. But we should not be ashamed or unwilling to obtain support and votes from those who care nothing for our principles and are actuated by motives which would not appeal to us, or which are even diametrically opposed to our own. It is useless, in my experience, to apply to the average

legislator for improvements in the civil service laws just after his political party has won for the first time in many years, and he finds the offices and subordinate positions very largely filled with adherents of the other party. But that same man is much more convinced that there is something in the merit system, and that it can be strengthened and improved, when his own party is just about to go out of power and the other party, "very hungry and very thirsty," is coming in.

In my opinion we should take advantage of this very human mental attitude of the politician, and get him to help us to strengthen the laws, even though his motives are different from our own. It is probable that, later on, with the turn of the wheel, he will change his views as to the law he has passed, but the other party about that time usually finds unexpected merits in the law which was passed against its protests, and opposes its repeal.

Of course, such laws are sometimes repealed, but every good law which is passed tends to justify itself, and often so commends itself to the people, in practice, that the politicians don't dare repeal it.

In short, play off one party against another, accept any assistance which will promote the cause, even if it comes, consciously or unconsciously, from its enemies. In that way we can make progress, in that way we can often secure laws otherwise unobtainable.

It may be that some will say that this is "opportunism." I do not think so. Opportunism, as I understand it, implies a readiness to abandon principle if thereby the end in view can be secured. That is not what I am advocating. My idea is: stick to your principles through thick and thin, but seize every opportunity to promote them, even to the smallest degree.

If this is opportunism I am an opportunist, but in my opinion, it is practical common sense.

II. How can we get a better enforcement of the laws and rules?

My answer to this is by fighting for it—not merely by speeches and resolutions which "view with alarm" violations of the law,—but, what is much more effective, by

taking the matter into the courts, by invoking the remedies of injunction, mandamus and quo warranto, and, better still, where there is a fair prospect of success, by criminal proceedings. We may criticise and resolve until the end of time, and we shall make no such impression upon the spoilsmen as will be made by one successful proceeding in court which effectively blocks their plans.

Care should be exercised in such proceedings, as constant failures would produce results the very opposite of what we desire, but when there is a fair prospect of success, suits should be brought and pressed with all our strength and vigor. We have fought many such cases in the courts of New York; and in most of them we have been successful, and even where we have failed, I think we have taught the "opposed to beware of" us.

Especially valuable for these purposes are laws forbidding the payment of salaries to persons who are in office in violation of the civil service laws, laws making fiscal officers personally responsible for waste of the public funds, and especially for payments of salaries to officials not legally appointed to office, and tax-pavers acts giving tax-payers the right to enjoin violations of the law.

Frequently there are general laws in existence which can be invoked for these purposes; where there are not, every effort should be made to secure them; frequently a general law can be passed which will cover the ground, even when a law more precisely and avowedly aimed at violations of the civil service law would fail.

The very admirable rule along these lines, recently promulgated by President Roosevelt, ought to be embodied in a statute, and every effort should be made to secure such a law from Congress, and when secured to enforce it rigorously. The rule is necessarily weak, in that it cannot be enforced in the courts, and with a weak or temporizing President may become a dead letter. But if it were in the form of a statute, we could successfully call upon the courts to see that it was enforced.

III. How can we get better administration of the law?

This too is of the utmost importance, for if the laws

are not effectively administered, they are discredited, and with them the principle itself.

Several of our local organizations, and in Federal affairs, the League itself, is doing admirable work along these lines, and that work should be continued. Wherever there is lax administration of the laws, we should pursue the commissioners by every means in our power. But here, also, we must be reasonable, and not overreach ourselves by attempting the impossible. If we attempt to push our principles to extremes, we may well enter the region of the impracticable and alienate that popular support which is necessary to rapid progress.

In two particulars, it seems to me possible for us to be too rigid in our demands. I refer to the matter of competitive examinations for the higher offices, and to

the matter of promotions.

Theoretically, perhaps, there should be competitive examinations for substantially all offices and positions. But some very earnest supporters of the merit system find themselves doubting the wisdom of preventing heads of great departments from choosing, as their immediate assistants, men upon whose enthusiasm for the success of their administration and upon whose personal loyalty, they can rely.

I do not agree with them, at any rate in the case of municipal offices, but their attitude is significant as a protest against the rigid requirement of competitive examinations for the higher positions. We must not make a fetich of the competitive examination, but should cooperate with civil service commissioners and officials generally who are in sympathy with us, to work out practical methods of getting trained men for that work. this may be best done through some system of promotion, but that is too large a subject to discuss in this address. I may say, however, that in this matter of promotions, while, theoretically, subordinates who have served long and faithfully should be promoted where vacancies occur in the higher offices, yet, practically, this does not work as well as it ought in many cases, for it frequently happens that no one in the lower grades is capable of properly performing the duties of the higher office.

I do not mean to say that we should not endeavor to limit exemptions, or that we should not insist upon some system of promotions, but I do urge that we should not insist upon extremes, that where we find commissioners who are believers in the merit system and who are endeavoring to do their duty in such matters as these, we should try to help them, rather than criticise them publicly and attack them bitterly, and that we should endeavor to lead public sentiment to our support, rather than get so far ahead of it as to lose touch with the people who are friendly to the cause.

We should also give special attention to the matter of examinations. I have no patience with the common criticism that civil service examinations are academic, but we must admit that they are not yet perfect, and we should constantly endeavor to improve them and make them more practical, and not let them fall into a rut.

To sum up: it seems to me that the practical way, at the present time, to promote the merit system is to be constantly on the watch to take advantage of every opportunity to get better laws and rules, even though the improvement be very slight, to vigorously fight in the courts to enforce the laws where substantial violations occur, and to endeavor to better the administration of the laws by rallying to our support, and not alienating, friends of the cause, and by working with and upholding the hands of all officials, from the President down, who are honestly and faithfully endeavoring to do their duty, even if they differ with us as to details.

The Advance of the Competitive System.

HON. WILLIAM DUDLEY FOULKE.

THE steady advance made by the competitive system in the Federal civil service during the period of a single generation has been quite unique in the history of reform. For it was no longer ago than 1867 that the agitation in favor of this system was first begun by the report of the Hon. Thomas A. Jenckes, of Rhode Island, to the House of Representatives, accompanied by a bill to regulate the civil service. The condition of the Federal Service at this time was deplorable. The patronage system. which had prevailed ever since Jackson's days, and which even Lincoln, during the infinite distractions of the war, had found no opportunity to overthrow, had at last reached its culmination during the administration of Andrew Johnson. "Every four years," said George William Curtis, in 1869, "the whole machinery of the government is pulled to pieces. The country presents a most ridiculous, revolting, and disheartening spectacle. The business of the nation, the legislation of congress, are subordinated to distributing the plunder among eager partisans."

In 1871, the first step was taken toward reform. An act was passed authorizing the President to prescribe rules for admission to the civil service. President Grant appointed Mr. Curtis, with six other gentlemen, as the first "Civil Service Commission," and rules were adopted, classifying the service, and providing for competitive examinations.

But great opposition soon developed, Congress failed to make an appropriation for the support of the Commission, and in 1875 the President abandoned the system.

In 1876 President Hayes was elected upon a platform containing a strong plank advocating civil service reform, and he promised in his letter of acceptance that the reform should be "thorough, radical, and complete." In some departments competitive examinations were again instituted, notably in the Department of the Interior, where Mr. Carl Schurz had been appointed Secretary, and in 1879 similar examinations were established in the New York Custom House, and the New York Post Office. They showed such good results that they formed a valuable object lesson in advancing the reform.

In 1881 the country was startled by the murder of President Garfield. The passions aroused by the spoils system "working on a weak brain, had instigated the assassination." In August of the same year the National Civil Service Reform League was organized, Mr. Curtis was made President, and at the very first meeting he declared, "We have laid our hands on the barbaric palace of patronage, and begun to write on its walls 'Mene, Mene!' Nor, I believe, will the work end till they are laid in the dust." That prophecy is receiving its fulfilment to-day.

The advance made during the first year of the existence of the League was astonishing. It was well described in the words of Mr. Curtis at the second annual meeting.

"The Congress which had adjourned in August laughing at reform, heard the thunder of the election in November and reassembled in December. If the members had been draped in sheets and had carried candles, they could not have worn a more penitential aspect. On the 4th of December the President sent in his message. He frankly urged the passage of the Pendleton bill or of some other equally effective measure, and promised his hearty co-operation in enforcing it. On the same day, in the House, Mr. Kasson introduced a bill for the better regulation of the civil service; Mr. Herbert, a bill to prohibit political assessments; Mr. Hiscock, a resolution to facilitate the range of a general reform bill; and the rules of the House were suspended in order to direct the committee upon reform to report at any time. Nothing could restrain the righteous zeal for reform."

On the 27th of December, only three weeks after the opening of the session, the Pendleton bill passed the Sen-

ate by a vote of 38 yeas to 5 nays, and on the 4th of January it passed the House under the previous question and without amendment by the vote of 155 year to 47 nays. It went into effect on the 1st of July following. There was on several occasions afterwards considerable backsliding in the affection of Congress for civil service reform but the law was never repealed and, under it, the gradual extensions of the classified system were made as times were ripe for them. The Railway Mail Service, under Mr. Cleveland; the Free Delivery Service, under President Harrison; pretty much everything left in the departments under Mr. Cleveland's so-called "blanket" order, during his second term; the Philippine service under Mr. McKinley; the Rural Free Delivery, the Census, and the Spanish war services, as well as the registration of laborers under President Roosevelt. Some of these accessions have been made as legacies of dying administrations, and sometimes they have been apples of discord to the survivors. But with Theodore Roosevelt the time came at last when a President found it possible to make extensions to the competitive system at the very beginning of his official life.

Thus it is that in twenty years the classified service has grown nearly ninefold, from fourteen thousand places when the law was passed, to one hundred and twenty-five thousand places to-day, and that even outside the competitiveservice comparatively few changes are made at the expiration of the four-year periods. Public opinion, which indulgently acquiesced in a clean sweep in years gone by, now resents the dismissal of a single postmistress for political reasons. Outside the consular service and the postmasterships, the great bulk of all classifiable places

are under the competitive system.

Even our opponents recognize the conquests we have made. The New York Sun celebrates them in a lyric inspired by an afflatus undoubtedly divine, a lyric which it calls "The Civil Service Anthem," or "Song of the C. S. C." and which is supposed to have emanated from the Commission itself. One of the stanzas runs as follows:

The kickers and knockers, and growlers, you know, May roast us as much as they please. But they've only a show for the Government dough If they pass their exams. with ease. No official nor clerk, with a shirk to his work, Can bluff us with frown or glad hand. Oh, we're getting them all; they come at our call; And we're right up behind the band.

The statement of the origin of this ballad may not be literally accurate, but like other unauthentic documents, it is historical in the sense that it portrays the attitude of mind of the source from which it emanates. In this sense the prophecy contained in another stanza is not without its significance.

When we rule every job on the classified earth, We'll turn our attention to Mars.
And when there's a dearth of classified worth We'll examine the classified stars.
We're here with our lists and we're here with the jobs, And we trust you will understand
That we're getting them all, the great and the small, And are right up behind the band.

Thus do our adversaries attribute to us a spirit of jubilation at our successes, and they do well, for in the Federal service we have traversed at least three-fourths of the distance from the starting point to the goal of the utmost possible achievement. While other reforms still linger in the valley, we have climbed at least to the shoulder of the mountain, whence we can see plainly the gleam of the Alpine sunrise with the full conviction that the white light of a cloudless day is bound to follow.

But there is one thing we are beginning to miss; we no longer march to the inspiring music furnished by the yells of the enemy. The cries of "Pharisee" and "Snivel Service" and "Emasculated Reform" uttered by the virile advocates of plunder, come more and more seldom to our ears. More and more and more faint grow the sounds of their rage, defiance and despair, until to-day a little rattling in the throat preceding final dissolution, is almost all that we can hear. So rare are the expressions of reprobation that I for one feel inclined to treasure

them as curiosities. I recall in particular, that during the special session of the Senate last spring, a Senator entered my room, whose brows were furrowed by Jovian corrugations. He was mad all over. I asked him what I could do for him. He answered, "I have come to the conclusion that this civil service business is a fraud." I asked him in what respect. He said, "I had some clerks in the Census Office, and among them a lady in whom I am interested. When Director Merriam was about to make his dismissals, he told me I could keep two, and I gave him the name of this clerk with one other. But she had been ordered to be vaccinnated; she was not well; there was a noise in the neighborhood where she was doing her work, and she was not able to do it as satisfactorily as others, and so she was dropped, and I can't get a place for her anywhere." I told him that the Census Bureau at that time was not in the classified service; and that whatever was done the civil service law at least was not responsible for. He seemed a little surprised at this statement, then he began on a new He said that promotions within the service were managed by a ring composed of the heads of divisions, that they promoted their friends and relatives, and that a Senator couldn't get any promotion for anybody. I asked him if he did not think that the heads of the divisions under whom the clerks were working could judge better as to the respective efficiency of these clerks than persons upon the outside. the heads of divisions did not determine the question upon efficiency at all; they promoted their favorites. I asked him how he knew this, but he did not tell me, except that he knew one man in the War Department who was a very good clerk and had got no promotion. I asked him how he could tell that there were not other clerks still better. He said that was impossible; this clerk was as good as any man could be. He added that the reason he wanted a place for this lady was because she came from his own town and had two children to support. The Senator departed in great discontent, and I reflected for a moment on the logic of the preference he desired.

If the residence of the lady in the same town as the Senator constituted a good reason for preferring her, such reason ought to be applied to other cases, and I was wondering how much the efficiency of the civil service would gain by a regulation providing that appointments should first be given to ladies residing in the same towns as Senators. The character of the logic displayed by legislators who make such demands leads one to wonder that our laws are half as good as they are. I must not, of course, reveal the identity of the gentleman in question, yet a certain natural association of ideas leads me to observe that he is now under indictment for securing the appointment of a postmaster for a pecuniary consideration.

It is with pardonable pride that the National Civil Service Reform League may look back on the part it has taken in this advance of the competitive system. And we must remind our adversaries that the evils which they prophesied have not attended its coming. No office holding aristocracy of tide-waiters and letter-carriers has trampled American manhood under its iron heel; we have not bent the knee to an hereditary sovereign as the result of our adopting so monarchical a system; the man who is not a college graduate has still some opportunities for employment, and there is still interest in political issues and great public questions, though the citizen is not so often paid for this interest by the plum of an office for which he is not qualified. Is there any one who will look back to-day upon the clean sweep made with each incoming administration in the past, and tell us that the adoption of the competitive system has not marked a distinct gain in our political life?

If we compare the progress of civil service reform with that of other measures which have occupied the public mind during the same period, we can see how swift and steady has been the advance.

Efforts have been made to secure the reform of our city governments, yet after each attempt the wave has receded almost as far as it had advanced.

More than half a century ago some of the women of

the country began their campaign for equal political rights, yet the granting of the ballot in a few of the newer and less populous States, and the conferring of restricted rights of municipal and school suffrage in other States, are as yet the only answer to the appeal.

For more than a generation a resolute and sturdy band of militant philanthropists have been trying to put down the traffic in intoxicating liquor, so fruitful of calamity to society, and to the home—yet after many abandoned experiments, the object which they seek seems as far away as ever from accomplishment.

Laws were passed more than a dozen years ago to prohibit combinations of capital in trusts and monopolies. Yet in spite of these laws such combinations have been growing in a greatly accelerated ratio.

At every recurring election there has been great talk of reforms and changes in the tariff, yet the essential principles of our tariff legislation, whatever the difference of schedules, has been very little affected.

Repeated political convulsions have shaken the country in regard to the currency, and yet the changes made in actual legislation have been trifling. The mountains have groaned in labor and hardly a mouse has been born.

Many enthusiastic souls believed that efforts to substitute arbitration for war were reaching a golden consummation in the establishment of the Hague tribunal, but more recent events make it seem as if the time were almost as distant now as when the prophet spoke, in which swords should be turned into ploughshares, and spears into pruning hooks, in which nation should not take up arms against nation, neither should they learn war any more.

In contrast with these failures to better the condition of the world the competitive system has made a progress which is astonishing, and it has done this, although it has not been the leading issue in any campaign, and although it has not been supported by the personal interest of any particular group or section of the community. No vast protected industries or labor unions have ever combined in its advocacy, no class even, like the disfranchised clamoring for equal rights. The tongues of demagogues,

the vested interests of political patronage, and the inertia of a vicious system long established, were all against us. We could not awaken sympathy, like the early abolitionists, by picturing the oppression of the helpless, the scourge and chain and auction block, the separation of families, the long flight for liberty across forests and morasses under the guidance of the North star. The competitive system is to most persons a dry and uninteresting subject; no vast multitudes assemble to hear its discussion and be swayed by the passions which it arouses. Its advocates have had no other motives than that honest work-a-day patriotism which is willing to renounce the most brilliant fields of conflict and victory, and is content with the modest kind of celebrity which follows more unobtrusive endeavor. Yet perhaps this very weakness has been part of our strength, for our good faith at least was impregnable, when even our adversaries could attribute to us no selfish motives.

What then have been the causes of our phenomenal success? Very prominent, certainly, among these have been the support of advocates of eminence and character. Even before the competitive plan was developed, the greatest voices in American history denounced and reprobated in burning words the evils of patronage. That trinity of eloquence in the golden age of the Senate, Daniel Webster, Henry Clay and John C. Calhoun, however divergent the views of its members on other subjects, was united in this, that it saw in the spoils system, inaugurated by Andrew Jackson, one of the gravest dangers to free institutions. From that time on we have had, at the service of our reform, the tongues and the pens of the ablest, in eloquence and statesmanship, that America has produced. In the early days we had the voice of James A. Garfield in the House of Representatives, of Carl Schurz in the Senate, and on the platform the incomparable advocacy of George William Curtis. His words as president of this league have given the country an inspiration which has long outlasted his life. Listen to-day to the divine fire that burns in his sentences:

"Gentlemen, the stars in their courses fought against

Sisera. But they fight for us. The desire of good government, of honest politics, of parties which shall be legitimate agencies of great policies; all the high instincts of good citizenship; all the lofty impulses of American patriotism, are the 'sweet influences' that favor reform.

"Sir Philip Sidney wrote to his brother upon his travels," Whenever you hear of a good war, go to it.' That is the call which we have heard and obeyed. And a good war it has been, and is. Everywhere, indeed, there are signs of an alert and adroit hostility. They are the shots of outposts that foretell the battle. But everywhere, also, there are signs of the advance of the whole line, the inspiring harbingers of victory. Never was the prospect fairer. If the shadows still linger, the dawn is deepening—the dawn that announces our sun of Austerlitz."

We have also been favored by the pen of a distinguished statesman. The work on the "Civil Service of Great Britain," by Dorman B. Eaton, is as convincing a treatise, from a practical standpoint, as was ever issued in support of a great public measure.

Another powerful influence which has wrought in favor of the reform, is that of the press. While there have been dissenting opinions, the judgment of the court of journalism has been delivered with greater unanimity in our favor than upon any other subject that I know. So overwhelming, indeed, is the sentiment to-day that an article, recently appearing in a Chicago paper, in favor of returning to the patronage system, seemed, indeed, like the voice of one crying in the wilderness, but without hope of preparing the way for its gospel of demoralization.

Not only has the competitive system had eloquent advocates, but it has had most skillful artificers. The men who framed the Federal Civil Service Act created a mechanism of marvelous adaptability and efficiency for accomplishing the end they had in view. I regard that act as one of the most skillfully devised statutes ever passed by a legislative body. Twenty years have now elapsed since the law was enacted, and except for the limitations excluding laborers and officers confirmed by the Senate from its provisions, I do not know a single particular in which I

greatly care to see it amended. Even here the reform can go on satisfactorily without further legislative action. The beauty of the law is that it contains within itself provisions for the growth of the competitive system by mere act of the President and the Commission without further congressional enactment. In some respects it adapts itself even better to the conditions of the service to-day, than when it first became a law. For instance, the provision that none but men in the civil service should act as local examiners, was inconvenient so long as these men were partisans, appointed for partisan reasons. But now that the non-partisan character of the service has become so general this difficulty no longer exists. It was once supposed that the law was defective in not providing for taking testimony in investigations by the Commission, but this defect was readily amended by a recent executive order. It was feared that it was defective in not providing for the withholding of salaries from those illegally appointed; but all that was needed was a President willing to adopt a rule that such salaries should not be paid. and the evil disappeared as if by magic. Some feared that the law was faulty in that it did not provide for the interposition of the courts, yet recent events have shown that such interposition is not an unmixed blessing, and that under an executive, friendly to the law, the best administration may be had without outside interference. Indeed there is very little which cannot be done under the present law, by a President who is friendly to the system. His limitations are found rather in political exigencies, and in the state of public opinion, than in the limitations of law, or constitutional right.

I say then that the law is a marvel of legislative skill. The first rules adopted by Mr. Dorman B. Eaton, and his fellow-commissioners, were framed with equal sagacity. The work began modestly. The competitive system was applied at first to fourteen thousand places only, places to which it was most evidently applicable, where scholastic tests seemed so palpably proper that little objection could be made, places in the departments and the larger offices where personal selections were most difficult, and

where the need of the new method was most apparent. But the system of civil service jurisprudence, if I may so call it, which has grown up from these rules, has not always been a model of foresight, clearness or condensation. It was seldom that more than a month or two passed without some new amendment. The various changes made have now been condensed and systematized in the recent "Justinian code," framed by the Commission, which, as I learn from Mr. Doyle, has not needed the scratch of a pen for nearly eight months!

Not only has the competitive system been skillfully devised, but it has in general been well administered. For Dorman B. Eaton, Governor Thompson, John R. Proctor, and, most eminent of all, Theodore Roosevelt, have been Civil Service Commissioners. And there has been a peculiar fitness in the character of the leadership, that of Dorman B. Eaton in the formative period, and that of Theodore Roosevelt, in the militant period of the reform.

The progress of the competitive system in the Federal service depends mainly upon the President. The President's action, on the other hand, must depend in great measure upon the support he receives from Congress and from the people. Since the passage of the civil service law, our Presidents have all been personally friendly to the competitive system, although sometimes, when they were overcome by party pressure, there have been serious lapses and wide gaps between profession and performance.

President Arthur, who was in office when the law was passed, had been a manipulator of local party patronage, but throughout his term he displayed considerable sympathy with the new law, by approving its provisions, appointing efficient commissioners and giving them consistent support. President Cleveland, a firm friend of the merit system, took office under peculiar difficulties. The appetite of his party for spoils, after the exclusion of a quarter of a century, was insatiable; he withstood it bravely in many instances, and he maintained the law within its limited field of operation at that time, but outside the classified service there was a pretty clean sweep of the offices, and the system of removal on secret charges

of "offensive partisanship" furnished a means of evasion of civil service reform principles, which cast a certain discredit upon the merit system. President Harrison entered office under the strongest pledges of his party and himself, both to extend the system and apply its principles in all executive appointments; he was, however, much more subject to political influence than his predecessor, and the clean sweep was again repeated. He made extensions of the classified service it is true, but the most important one (the free delivery offices) was only effected at the last moment, after he had been defeated for reelection. President Cleveland in his second term did more for the competitive system than had ever been accomplished up to that time, particularly in the extensive additions to the service, made by him in his so-called blanket order, which became subject to such bitter criticism when the Republicans again came into power.

It is considered by many that there was a retrogression under President McKinley. The order which he made exempting from examinations some thousands of the positions which had been included by Mr. Cleveland was greatly to be regretted. In point of fact, however, the excepted positions were not so numerous as was supposed at the time, either by the Departments or the Civil Service Commission, many of these places were not actually thrown back into patronage, and the general personnel of the administration was so favorable to the merit system when President Roosevelt entered upon the duties of chief executive, that no radical changes were required. And President McKinley performed the inestimable service of initiating the competitive system in the Philippine Islands, thus preserving these dependencies from the dangers of exploitation and patronage.

Concerning the present administration, I have been so closely identified with it, that I hardly feel at liberty to speak. I may, however, call your attention to the figures just compiled by Mr. Kiggins, the Chief Examiner of the Civil Service Commission, figures which astonished me beyond measure when I saw them. During the year ending June 30, 1902, the Commission had examined 59,318

persons, and had made 12,894 appointments to competitive places. That was then our high-water mark. During the year ending June 30, 1903, 109,829 persons were examined and 39,646 competitive appointments were made, more than three times as many as the year before. I had felt during the past year that we were making progress, but I had never dreamed we were doing half so well as that.

If a tree be known by its fruits the administration of President Roosevelt must be pronounced prolific, in regard to civil service reform.

The competitive system has been fortunate in its advocates, in its organizers and in its administrators, and in the friendship of our Chief Executives, but it has been still more fortunate in itself, in its essential nature, and in the irresistible logic, which declares its excellence to every impartial understanding. The principles underlying that system have been more completely demonstrated than any political issue of the time. They are more conclusive than the arguments in favor of protection or free trade, of the gold or the silver standard, of universal or restricted suffrage, of prohibition or license, of war or arbitration. And not only is the system impregnable in right reason, but it is essentially the most practical of all reforms. It has vindicated itself by its results. Where the competitve and patronage systems existed in the departments side by side, the world could see which tree produced the better fruit, and the competitive system thrives to-day by the plain law of the survival of the fittest. It belongs, indeed, to that rather limited class of reforms where the good result can be obtained by a successful contrivance, removing the temptation for wrong-doing, rather than by the more ineffective methods of penal legislation or the reformatory conversion of mankind.

Penal legislation is necessary to correct certain crimes of the graver sort, but it is rarely effectual anywhere else. It is only the most flagrant cases of bribery, embezzlement, or fraud which we can alone hope to reach by means of punishment.

An appeal to the moral sense of the community, for

the upbuilding of character, the development of civic virtue, and the creation of a healthy public sentiment is certainly the most desirable, final and effective remedy, but this is too often immediately unattainable. For nearly two thousand years the churches have been exhorting men to be good, unselfish, patriotic—to lead purer lives, to perform their duties to the State as well as to their Maker, and yet to-day, in spite of these appeals, crime is prevalent and the seeds of vice are still sown broadcast over the land.

But to take away the incentive to corruption, to remove the jewels from the sight of those who covet them, whereever that can be done, is more effective than punishment or exhortation. It is the application to our political institutions of the words of the Lord's Prayer, "Lead us not into temptation." Where temptation has begotten corruption, the withdrawal of temptation will lessen or perhaps eliminate it.

Now this is the principle which underlies civil service reform, and the competitive system furnishes, in my judgment, a most effective kind of machinery. What is the object of this reform? The great purpose of it is not so much to provide an efficient civil service (although it does this) as to remove the temptation to use the offices of the Government for personal and party ends, to remove the incentive for that kind of political corruption which is nourished by the hope of office.

It does this by providing certain fixed rules in place of arbitrary discretion, rules that act almost automatically like the governor of a steam engine, in regulating appointments to office. The system of examinations and selections from the classified lists has eliminated that discretionary power of making appointments, which is at the basis of political patronage.

But the question recurs, how safe are we to-day? Since the advance of the reform has depended so largely upon the will of the President, since the rules may be changed or repealed by executive order, since every place in the service may be excepted from examination, are we not constantly in danger of losing all we have gained? The platform upon which Mr. Bryan was nominated looked ominous for civil service reform. How far are we at the mercy of an unfriendly administration?

Of course there is a risk in the election of a President who regards the competitive system with an evil eve. But I believe the time has now passed when the merit system is in danger of total extermination by executive action. Custom, if it be well fixed, is quite as strong with us as law. growth of the patronage system itself shows this. custom of party conventions has nullified even the Constitutional provision for the Electoral College. But now this inertia of habit, which it was once so hard for us to overcome, will sure be our ally for the maintenance of our reform. Any President who, without cause, might attempt the overthrow of the competitive system, would open such floodgates of confusion and incompetency, as would sweep his administration into the bottomless abyss. breach made in the dikes is bound to cause him greater embarrassment than advantage, and the law of political self-preservation can be counted upon to see to it that these breaches shall be few.

But it is incumbent upon us to watch carefully the growth of our reform, to see that no parasites accumulate upon its branches to stifle its natural and healthy development. I feel impelled to call attention particularly to one feature of our system: its tendency to permanency of tenure, and to consider whether any evils lurk in that tendency; and if so, how they can best be eradicated. It may be said that the civil service law does not provide for any permanency at all, and this is true. It is undoubtedly the right and the duty of every superior officer to dismiss his subordinates whenever they cease to be efficient. But the fact that there is no fixed term, and no temptation to remove a man in order to get his place for another, accompanied with the very human reluctance of all in authority to cause personal distress to those who are dependent upon them, leads naturally to a greater continuity of tenure than exists under the system of rotation in office And if this tendency be unrestrained, it may in time develop certain evils of superannuation in government

employees, which will inevitably be attributed to the competitive system. The superannuation which now exists cannot be justly laid at the doors of that system, since the old employees now in the service came in, not by competition, but by patronage. The amount of superannuation, at present, is not great. Three investigations have shown that the number of persons in the service over seventy years of age is only about two per cent. Yet in some particular departments, notably in the Treasury, it is very perceptible; and we can hardly doubt that it is likely to grow greater as the years go by.

Now there is an easy remedy to remove the dangers of superannuation for the future, just as effective as the competitive system was in removing the evils of patronage in the past. It is to require that each person entering the civil service hereafter, shall, during his period of probation, and before absolute appointment take out a policy in some responsible company, providing for a sufficient annuity when he reaches a certain age, and is separated from the Government service, or, in case of physical disability prior to that time. The Government could properly require the deposit of securities from such company, to insure the payment of the annuity, while the premiums could be secured by deductions from salaries. This system would, by a law of natural selection, encourage appointments of such as are physically best qualified for their work, and least likely soon to become disabled and superannuated, since such persons would have an advantage in the matter of premiums. The more difficult question would remain, however, how to provide against the superannuation of those who are now in the service, who have taken no such security against the infirmities of age. These can be provided for in two ways, first by a Government allowance to be made up as far as practicable by deductions in salaries from those now in office, or secondly, by a system of suitable reductions, giving to those who have outlived their usefulness less pay and lighter work, the reductions to be made either as the result of examinations in regard to their ability to perform their duties,

or as the result of the showing of comparative records of

efficiency.

I believe that it is high time for the League in these days of its prosperity to forestall the reproach which may be made hereafter, that we have permitted barnacles to grow or remain upon the fair vessel we have so auspiciously launched upon the waters of political life. The public spirit which gave birth to the League, and which has been the constant companion of its counsels, requires of us to-day the same unceasing vigilance which was demanded in our infant struggles. For we must not forget that prosperity offers sometimes, in her golden chalice, a deadlier narcotic, than adversity in her cup of stone.

Let us then improve these days of sunshine by making the amplest provision for the security of the fabric which our hands have aided in erecting, that it may at all times be strong as well as fair, able forever to resist the storms, and to keep safely within its chambers the priceless treasure of good government, for future generations. 139

Twenty Years of Civil Service Reform.

HON. HENRY F. GREENE, UNITED STATES CIVIL SERVICE COMMISSIONER.

THE advance of competitive examinations within the last twenty years has indeed been remarkable. The improvement within the same period in matters covered by the civil service reform law of 1883, embracing not simply the establishment of competitive examinations, but the prohibition of assessments has been, since the passage of that law, equally great.

Appointment by means of competitive examination has given to those appointed a tenure of office practically during good behavior. This result has come chiefly from a general indisposition on the part of appointing officers to make a removal when a vacancy can not be filled at their discretion, which has come partly from the enforcement of the civil service rule prohibiting political discrimination within the classified service, partly from the cessation of the exercise of "pull," unavoidable where a change gives no patronage, and partly from the effect of civil service rule XII., enacted by President McKinley, and which directly prohibits removals except for cause affecting the good of the service, and then only after notice to the employee and an opportunity given to him to make his defense.

These great changes have taken place within the last twenty years in the Federal service, and are all for the better.

Nevertheless, while so much has been done to completely purify and reform the civil service of the United States, much remains to be done. We all know what the government of this country was in the days of the first six presidents. The object of our movement has been, in

brief, to bring back the method of appointments to what it was in their day; and not only so, but to provide such safeguards therein as will prevent forever the recurrence of the spoils system. We want to, and intend to, extend the reform to all offices not in their nature political. On the other hand, our aim is that the system should reach to the lowest rank of the civil service.

This is pre-eminently a time of rejoicing at the triumphs of civil service reform during the last twenty years. The last three years especially have been a halcyon period for that reform. But there is no need for the Civil Service Reform League of the United States to disband, as the American Anti-Slavery Society did, because its work is accomplished. It is our duty now, while rejoicing over the progress already made, to consider the unsolved problems of civil service reform, the part they play in regard to what has already been accomplished in the abolition of the spoils system, and the course which must be adopted to meet and remedy the difficulties which they occasion.

In the first place, civil service reform has so far extended but to a comparatively limited part of even the Federal civil service. Outside of Federal employees very little has been done. Even in the Federal service the scope of the operation of the act of 1883 is very limited. It reaches neither the highest nor the lowest ranks in that service.

It was hoped by many of the friends of civil service reform that the act of 1883 would cover not only inferior appointees, but also the highest class of Federal appointments, namely, those appointed by the President by and with the advice and consent of the Senate. The first United States Civil Service Commission, consisting of Dorman B. Eaton of New York, John M. Gregory of Illinois, and Leroy D. Thoman of Ohio, which made its report on the 7th day of February, 1884, stated clearly and correctly the objects and intent of the Pendleton Act as it passed.

They said: "Several results must be attained which, both in the law and in the rules, appear to be the more direct objects of their provisions. First, official authority

and influence must no longer be used to impair the freedom of elections and to coerce the political action of citizens. Second, extortion from those in the public service, whether under the form of political assessments or otherwise, for the purpose of paying the expenses of parties or candidates, must come to an end. Third, selections for the executive service on the basis of official favor and partisan influence must be suppressed by requiring examinations and other adequate tests of character and capacity as the conditions of entering the service. Fourth, the true responsibility and independence of the legislative and executive departments under the constitution must be restored and preserved."

In other words, the object of that law was that officeholders of every class should no longer exert any influence in politics not exerted by private citizens, that assessments should not be levied on officeholders of any class, that officeholders of every class should be chosen by non-political methods, and that the influence of members of the legislative branch of the government over the executive in the matter of appointments should be, as to every class of officials, destroyed. It was the intent of the law that these reforms should apply as well to postmasters and collectors of customs as to their subordinates. It was the hope of the reformers at the time that the law was passed that the reform should so extend to all classes of the service. It was their belief that the effect of the reform would be to work a permanent, radical, and beneficial change in American politics.

It is hardly necessary to say that as regards all that class of officials appointed by the President by and with the advice and consent of the Senate, no one of these aims has as yet been accomplished. And as to them the executive is no more independent of the legislative branch of the government than in 1883.

In the very earliest of civil service rules—those adopted in 1872 by the first Civil Service Commission—among the first classes of officials sought to be reached was that confirmed by the Senate. The rules adopted by President Grant on the 16th day of April, 1872, say, among other

things: "When a vacancy occurs in the office of a collector of customs, naval officer, appraiser, or surveyor of customs in the customs districts of New York, Boston and Charlestown, Baltimore, San Francisco, New Orleans, Philadelphia, Vermont, Oswego, etc. (naming a large number of other offices) the Secretary of the Treasury shall ascertain if any of the subordinates in the customs districts in which such vacancy occurs are suitable persons, qualified to discharge efficiently the duties of the office to be filled, and if such persons be found he shall certify to the President the name or names of those subordinates, not exceeding three, who in his judgment are best qualified for the position, from which the President will make the nomination to fill the vacancy; but if no such subordinate be found qualified, or if the nomination be not confirmed, the nomination will be made at the discretion of the President. Vacancies occuring in such positions in the said districts as are included in the classification will be filled in accordance with the rules. Appointments to all other positions in the customs service in said districts may be, until otherwise ordered, excepted from the operation of the rules."

Thus it will be seen that in the first beginning of civil service reform the heads of these great offices were put under a system of competitive appointment, while the rank and file were left unclassified. Under the present law the more practical method has been followed, of classifying the lower grades of employees, but leaving those confirmed by the Senate unclassified.

It is manifest that until the time shall come when, by some method or other, in an advanced and improved condition of public opinion which will justify the desired changes, the higher grades of Federal employees, the collectors and postmasters, naval officers, and surveyors of customs, are under the protection of and appointed by civil service rules, we can never hope for the accomplishment of all the good ends to be gained by this system. The task of devising a system of promotions which will reach to and cover this class of appointees will be difficult and the attainment, as to them, of the end sought may be

distant, but certainly until they are reached the task of civil service reform will not be accomplished.

It is idle to hope that we can take the mass of the employees of a post-office or custom house out of politics when the chief is appointed by machine methods and is in politics up to his eyes. His power over the inferior grades is too great. He has the power to refuse promotion. He has the power to remove, to a large extent, although this power is limited by the operation of the rules. He has the power to harass an objectionable inferior by a thousand methods. It is not true in the great majority of instances that the heads of local offices do exercise these powers. As a rule, and with very few exceptions, they fairly and honestly and in good faith attempt to carry out the civil service law. But there are and always will be exceptions to these rules, and these exceptions can never be done away with until the officials themselves in some manner come within the rules.

Another class of Federal employees who present a different class of difficulties are the laborers, skilled and unskilled, not embraced in the classified service, which by the terms of the rules, exclude from their operation laborers and persons appointed by the President with the consent of the Senate. As to these, until recently, as in the case of the highest grade of Federal officials, none of the objects of civil service reform had been achieved. Still appointed by political methods, they were still liable to arbitrary removal and assessment and still probably occasionally took part in elections, and were most undoubtedly, in many cases, appointed under the direction of members of the legislative branch of the government. With regard to them, another class of difficulties was presented—that of distinguishing in their work between classified and unclassified labor. Laborers could be appointed without examination, and when once appointed there is no power which could possibly regulate the kind of work given to them; and it thus became possible to have the departments at Washington, or the custom house or post-office at New York or Philadelphia largely filled by persons appointed as laborers who were keeping books or doing the

work of stenographers and typewriters. Within one period of six years it has been found that in one of the departments at Washington there was an increase of 1,088 per cent in the number of unclassified and of g per cent in the number of classified employees. In view of the fact that a considerable increase in the official force in offices already established would call for a very slight increase in the force of mere laborers, this fact obviously forces the conclusion that a large part of the men appointed as laborers were really employed in work which should have been done by those appointed under competitive examination. In this department it was found at the end of six years that 306 persons, being 71 per cent of the "laborers" in such department, were doing work which should have been given to members of the classified service appointed by means of competitive examination.

These facts, and others which might be cited, show that it is absolutely essential to the integrity of the system of competitive examination that some method should be found of handling the question of laborers. This is so not only because it is essential that the laborers themselves should in some manner be classified and removed from the operation of the spoils system, but also because it is necessary that such a loophole should be closed and that the work of the classified civil service should be kept for those appointed under its terms. It is very evident that the continued operation of this system might result some day in a condition of things where all the work of the departments would be done by unskilled laborers, and where appointments to the competitive service might cease by reason of the fact that the work of that service had been turned over to the laborers.

Much has been done to remedy this state of things. The proper remedy, and a complete one, would be to have a board, under the control of the Civil Service Commission, establishing and controlling the registration of laborers in the departments at Washington, and a similar board in each of the great cities of the country. Some steps have been taken toward this desirable end. In some of the departments at Washington—in most of them—such boards

have been established. Although these boards are separate, one for each department, they seem to be doing their work fairly, and the appointment of laborers has, as to such departments, been placed on the same basis as the classified civil service. It can hardly be said that anything has yet been done in the cities toward this end, but it is hoped that the rules which have been prepared may gradually be extended to the various cities and the laborers removed from the domain of the spoils system.

Temporary appointments without examination constitute another great and growing problem in the civil service system. First authorized on January 5, 1894, in the case of the Weather Bureau, and extended on February 12, 1895, to all the departments, their numbers steadily grow with the growth of the civil service system. An illustration of this is afforded by the number in the Treasury Department. During the year ended June 30, 1896, there were 4 of these; 1897, 4; 1898, 19; 1899, 33; 1900, 177; 1901, 296; 1902, 477; the six months ended December 31, 1902, 242. From June 30, 1898, to June 30, 1902, the ratio of permanent to temporary appointments rose from 1 to 1.9 to 1 to 5.9. In the six months ended December 31, 1902, the total number of temporary appointments was 3,229, and in the six months ended June 30, 1903, the total number of temporary appointments was 3,622. It is obvious that this system constitutes a great and growing evil. Every temporary appointment takes so much work from those appointed by means of competitive examination. Every temporary appointment may be made on a political basis or on the basis of pull. By successive temporary appointments one who has not passed any examination, but who simply has political backing may be kept in practically permanent employment. The examination not being extremely difficult it is possible, in the smaller offices, for a political favorite to be appointed temporarily, to pass his examination, and for the eligibles who stand above him to be gradually worked off, thus making room for the permanent appointment of a man who has political backing.

These evils are all possible theoretically. The majority of temporary appointments are probably made in good

faith and are free from the objections mentioned, but a system which affords a possibility of an evasion of the whole object of civil service reform should not be per-

manently maintained.

An increase of the force of the Commission, giving an opportunity for quicker and more frequent examinations, the rigorous enforcement of the rule which requires that temporary appointments shall be made, where possible, from eligibles whose names are on the rolls of the Commission, and the maintenance of a force of clerks and stenographers for the sole purpose of being assigned to temporary employment, will probably cause a reduction in the number of temporary employees. It is somewhat gratifying to find that from December, 1902, at which time this matter was first seriously called to the attention of the Civil Service Commission, to June, 1903, the number of temporary appointees in the City of Washington decreased, as compared with the preceding six months, from 877 to 471. It is at Washington that there is least excuse for this practice.

The last weighty problem of the Civil Service Commission to which I will call your attention this evening is the matter of exceptions from examinations. If I am correctly informed the total number of exceptions from examination and promotion by means of competition, in Great Britain, is 50 or thereabouts. In America the number is 123,924 (248,432 total in service). Of those thus excepted from examination probably more public attention is given to fourth-class postmasters and assistant postmasters than to any others. In the shape in which the rules are at present they are a dead letter as to all positions excepted from examination in terms. One rule applies to these positions and always has so applied: "No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discountenanced. No discrimination shall be exercised, threatened, or promised by any person in the executive civil

service against or in favor of an applicant, eligible, or employee in the classified service because of his political or religious opinions or affiliations." Where there is no permanency of tenure and where appointment is not made by competitive examination, and in the case of excepted positions the tenure is not permanent and the appointment is not thus made, such a rule as that above quoted is entirely unenforceable, and it never has been, as a matter of fact, enforced, nor has there been any attempt to enforce it. The decrease of the number of excepted positions cannot be made but slowly and tentatively. In the case of many of them it will be necessary in the first place to devise a practical method of appointment. In connection with these positions, however, it is to be noticed that one argument frequently made for keeping the matter outside of the protection of the rules has very little weight, namely, that m my of them are confidential and that the postmaster or other appointing officer should be allowed to exercise personal choice in filling a confidential position. This argument would have effect if there was any such thing as personal choice on the part of the appointing power, but as it is notorious that he cannot exercise personal choice, the reason does not justify the retention of these positions in the excepted class. The only practical justification for the excepted list is that the progress of reform must be slow and it must be pushed with judgment and with regard for the feelings and long-established prejudices of our people and of those active in politics.

Civil Service Reform in Maryland.

PROFESSOR W. W. WILLOUGHBY.

THE purpose of this paper is to sketch the history of the movement for civil service reform in the State of Maryland. Very few comments will be ventured, the facts for the most part being allowed to speak for themselves.

The movement for civil service reform in Maryland may be said to have begun with the establishment in 1881 of the Civil Service Reform Association of Maryland. At that time, appointments to office in all branches of the public service in the State-federal, state, and municipalwere made in strict accordance with the principles of the "spoils system" of politics. With the enactment in 1883 of the federal civil service law—the so-called Pendleton Act—appointments to positions in the Custom House and Post Office were required to be made according to the evidences of merit prescribed by that law. The effect of this change was not, however, immediately apparent, as the law took effect at a time when the employees in those two branches of the federal service were, practically without exception, Republican party workers. Nevertheless, in one very important aspect, a change for the better took place in the Post-Office. About this time it was charged that a number of the female postal employees owed their appointment and retention in office to improper considerations. In 1887, this public report was verified by disclosures made in court at the trial of a suit brought by a young woman, formerly a postal clerk, against the then Postmaster of Baltimore; whereupon that official retired from office. His successor, in order that not even the allegation of similar charges should be possible during his administration, dismissed from the office every woman, except two very old ladies, and since that time, because of the appli-

cation of the merit system, no scandal of this sort has disgraced this branch of Maryland's public service. But, in other respects, the appointment to, and tenure of office of, post office officials remained, in fact, but slightly subject to the merit system. This was due to the manner in which the postmaster, appointed in 1885 by President Cleveland, caused the requirements of the Pendleton Act to be construed. The civil service rules at that time allowed four names (they now allow only three) to be certified from those who had passed a civil service examination, when there was one appointment to be made. established practice, and one that had received the sanction of the United States Civil Service Commission, was, in such cases, to certify numbers 1, 2, 3, and 4 in the eligible list. When there were two vacancies to be filled, numbers 1, 2, 3, 4, 5, and 6 would be sent in, and so on. In other words, one additional name would be sent in for each additional appointment that was to be made. This postmaster, however, induced his Board of Examiners, whenever he called upon them for eligibles, to certify to him four times as many names as there were vacancies to be filled. By this plan, in the case of three or four vacancies, twelve or sixteen names would be sent up, and thus, by making his removals of Republicans in large batches, he was able to obtain practically the entire eligible list to choose from, and thus to reduce the protection of the rules to that afforded by simply a pass examination. The result was that only Democrats with a "pull" took the examinations; others knowing that, no matter how high their standing upon the eligible list, they had little or no chance of appointment. The character of the emplovees obtained by this method afforded a striking demonstration of the normal results of the spoils system. Because of serious breaches of private trust, Mr. Veazey was obliged to retire from office, and his successor, Mr. Frank Brown, afterwards Governor of the Commonwealth. though himself a member of the same political party as his predecessor, within two years was obliged to remove no less than one hundred and nineteen of his appointees, notwithstanding their approved political affiliations. "To

be more specific as to causes," said Mr. Brown in one of his official reports, "they have been as follows: Inefficiency, discourtesy, general stupidity, want of activity, drunkenness, indifference to their duties, want of cleanliness, dishonesty, and others in whom I did not have confidence as to their trustworthiness, honesty and competency (the majority having been removed for drunkenness)." In this connection it may be said, as will be later noted, that the present Board of Police Commissioners and Police Examiners, provided for by the act of 1900 regulating appointments to the Baltimore City Police Force, have very closely copied Mr. Veazey's method of evading the requirements of the merit system.

The office of the Collector of Internal Revenue was not placed under the civil service rules provided by the Pendleton Act, and, as a result, the normal evils of the spoils system continued to be manifested, and that office. during the eighties, became filled with employees whose habits and reputations were evil in the extreme. In 1887, the Baltimore Reform League forwarded to the Secretary of the Treasury a letter, in which attention was called to the character of some of the appointees of the then Collector of Internal Revenue of Baltimore. Of one appointee, Solomon A. Bacharach, it was shown that he had been indicted, for he had pleaded guilty of a violation of the gambling laws, and had served two months' imprisonment therefor. Of another appointee, Wallace Owings, that he had been indicted for assault with intent to kill, committed under the following circumstances: Having become involved in an altercation in a saloon with the barkeeper, Jerome Kuhn, Kuhn inflicted upon him injuries that led to his arrest. The next day, at the Central Police Station, Owings, while present to testify at Kuhn's examination, suddenly drew a pistol and shot him, wounding him severely. Though indicted for this, Owings was not tried, the case being, for some reason, never revealed, nolle prossed. He was appointed a gauger. Of a third official of Baltimore's Internal Revenue Office, one George Trust, it was shown that he had been at one time upon the police force of the city, but had been dismissed for

drunkenness. Later, meeting upon the street a young colored man named William Robinson, a non-resident of the city, and a total stranger to him, he asked him whether he was a Republican or a Democrat, but without waiting for a reply shot him through the head, killing him almost instantly. For this, he was indicted for murder, pleaded insanity, produced by his intemperate habits, was convicted of manslaughter, and served a term of four years and some months in the penitentiary. He was appointed stamp clerk. Thus was exhibited some of the possibilities, if not the normalities, of the system which awarded public office, not according to ascertained fitness to perform the duties required, but because of party considerations.

To the letter in which the foregoing facts were set forth no reply was vouchsafed by Secretary Fairchild.

Up to this time, and for a number of years afterwards, the provisions of the Pendleton Act prohibiting political assessments to be levied upon federal office holders, and forbidding such officials from using their official authority or prestige to influence the results of local elections, remained in Baltimore, in the post-office at least, a dead letter. In 1891, Mr. Roosevelt, then United States Civil Service Commissioner, made a special investigation of conditions in Baltimore. The primary election which he witnessed he described in his official report as "marked by great fraud and no little violence." As regards the interference of federal officials, the testimony seemed to show the existence of the view, upon the part of some at least, that so far from being improper, it was a duty upon the part of office-holders, federal as well as State, to manage the primaries. As a result, Commissioner Roosevelt reported, among other things, not only an active and pernicious interference on the part of federal officials in local elections, but that the then postmaster, Mr. Johnson, had, to use Roosevelt's own language, "filled the entire unclassified and half the classified service with Republican ward workers," and "permitted the post-office to be turned into a machine to influence primary elections."

At this point, it should be further noted that, even

in the classified service, many of the evils of the spoils system continued to exist because of the fact that removals might be made at will, and thus the opportunity afforded for the dismissal of subordinates for frivolous or no reasons, whose places might possibly be filled by political favorites by an evasion in some way of the rules governing appointments.

In 1898, a special committee of the National Civil Service Reform League pointed out the urgent need of a classified and non-partisan census bureau. The scandal connected with the taking of the twelfth census in Maryland in 1900 soon afforded to the people of the State, as well as of the nation, a striking illustration of the wisdom of the views of that body. So recent is this manifestation of the spoils system that its details need not be stated.

Turning now from the federal civil service to a consideration of the State and municipal service, it is sufficient to say of the period prior to 1895 that the spoils system reigned supreme. The thorough-going application of that system by the Democratic party resulted, especially in Baltimore, in the establishment in power of an oligarchy of practical politicians, led by politically unscrupulous leaders. During this time, as is well known, scandals in the administration of both State and city were of more frequent occurrence, public money was squandered, fraud and violence at elections were universal, and vice of various kinds allowed to reign unchecked, so that Baltimore became qualified to claim high, if not absolutely pre-eminent, rank among the badly governed cities of the country. Various attempts were made, especially in 1875 and 1885, on the part of those desirous of purer politics and better government, to oust from power the unscrupulous set that had so long controlled the State and the city of Baltimore, but without success because of the ability of the "machine," under the existing defective ballot laws, to manufacture majorities almost at will. In 1895, however, by a supreme effort, the rescue of the State and city from those who had so long controlled them, was effected. It was hoped at this time that, among other reforms, a thorough-going civil service law, applicable both to the State and municipalities, would be enacted. A bill for that purpose was prepared by the Civil Service Reform Association of Maryland, and introduced in the Senate of the State by Hon. W. Cabell Bruce, but failed of enactment, the chief explanation of this failure undoubtedly being that, as expressed by one of the Republican Solons, his party was not going "to despoil the vineyard until it had gathered in the grapes."

Instead of a legislative enactment, a proposed constitutional amendment in regulation of the subject was submitted to the people for their acceptance or rejection. So unsatisfactory, however, was its language that very many of even those who were most earnest and disinterested advocates of civil service reform, voted for its rejection, and the measure was disapproved in 1897 by a de-

cisive majority.

In 1898, however, a considerable measure of civil service reform was introduced into the administration of Baltimore city by the adoption of the new charter. This charter was drafted by an expert and non-partisan commission, and, besides providing a variety of safeguards against abuses formerly prevalent in the administration of the government of the city, freed the management of the public schools from political control. Nine commissioners, appointed for six years by the Mayor, subject to confirmation by the second (Upper) branch of the city's legislature, were provided for, into whose hands the control of the schools was placed. Previously to this the baleful effects of the spoils system were so evident in the city's schools that Dr. J. M. Rice, an expert in pedagogy, after making a careful study of educational conditions in the larger cities of this country, published to the world the fact that Baltimore had one of the worst systems that he had found. The appointees of Mayor Haves to the newly provided school board were excellent, including among their number the then President of the Johns Hopkins University, two prominent lawyers well known for their public spirit, an ex-Mayor of the city, an eminent clergyman, the editor of one of Baltimore's newspapers,

A of high standing, and a woman known and interest in all matters of social and provement. Within the three years of its board, by the rigid application of reform as been able not only to free the schools of this almost all of the evils formerly so prevalent, ously to increase their pedagogic efficiency, but to with a smaller expenditure of money. At the end of its first fiscal year the Board returned to the city's sinking fund nearly \$40,000.00 of the sum that had been appropriated for its use, and since then has continued to demonstrate the fact that economy, efficiency and honesty are the natural results of an expert, non partisan administration of the public schools.

By an ordinance prepared by the Civil Service Reform Association of Maryland, and enacted early in the administration of Mayor Hayes, the Baltimore Fire Department was placed under the merit system. It can hardly be said that the ordinance was administered by the first Board of Commissioners appointed after its passage with an honest attempt to secure all the results for the attainment of which it was enacted, but it is believed that at the present time it is being enforced in good faith, and marked improvement in the service is already apparent.

In 1900, also, largely through the efforts of the Baltimore Reform League, was secured the enactment of two statutes, the purpose of which was to regulate the appointment and fix the tenure of office, of members of the police force of Baltimore city in a manner similar to that in which the teachers in the public schools are appointed, promoted, or removed. Unfortunately, the highest court of the State has given to this statute a construction according to which the Examining Board is permitted to nominate for vacancies the entire list of eligibles for each vacancy, and thus has rendered largely nugatory the effort of the act to prevent political considerations from controlling police appointments and promotions.

During the last few years, it should be said that the demerits of the spoils system have continued to be manifested in those branches of the public service not yet re-

moved by law from its operation. Many of the appointments both of the present Governor and of the Mayor of Baltimore, whose term of office has recently expired, have been excellent; but in not a few instances, especially in the case of minor appointments, party loyalty and service have been permitted to excuse notoriously unsavory and even criminal records.

Thus, in 1900, the Executive Committee of the Baltimore Reform League, after calling attention to the admirable selections of Mr. Hayes in filling many of the higher offices within his gift, felt obliged to report that not only had there been put into effect under his administration "a policy of partisan proscription towards subordinate employees . . . leading in certain departments virtually to a 'clean sweep' of those belonging to the party then in opposition and their systematic replacement by adherents. of the party then dominant," but that the antecedents and reputations of a number of the recently chosen city officials were evil in the extreme. After detailing the criminal records of a number of the subordinate employees of the city, the report says: "These are but a few of the many instances in which the League has received complaints as to the character of these minor appointments, indeed such complaints have been so numerous that, except when their grounds were matters of public record, it has been impossible for the Executive Committee, or the Standing Committee on Public Officials, to make even a superficial investigation of their merits; but enough has been brought to light to warrant the Committee in reporting, and even to make it their imperative duty to report, that far too little regard has been paid to the recorded antecedents, reputation and standing in the community of persons selected for employment in subordinate positions under the city government." Furthermore, the report adds, "It is to be regretted that the State government has not furnished a better record."

In conclusion, looking back upon the history of civil service reform in Maryland, one may say that, though it is one that by no means justifies satisfaction upon the part of those who desire and have striven for better and

more honest State and municipal government, it is yet after all a history that shows improvement both in the measures that have been put upon the statute books and in the actual results that have been reached. The sentiment in favor of the application of the merit system to all branches of the public service is surely gaining ground in the city of Baltimore and throughout the State. Civil service reformers in Maryland may therefore properly be optimistic of the future. At the same time, it is not to be concealed that, unfortunately, it is by no means certain that in the legislature which is soon to meet, an attempt will not be made to undo some of the good work that has already been accomplished. In 1901, a determined effort was made to return the public schools to partisan control and that attempt may be repeated. The present time is, therefore, by no means one for a relaxation either of effort or of watchfulness on the part of those who desire an efficient, economical, honest administration of the affairs of their State and city.

Fourth-Class Postmasters and Rural Free Delivery.

ELLIOT H. GOODWIN.

THE subject of this paper might perhaps be made clearer if restated in the form of a question: Can the methods of examination employed in selecting carriers in the Rural Free Delivery Service be applied to the appointment of fourth-class postmasters? The National Civil Service Reform League has placed itself on record in former years in favor of taking the fourth-class postmasters out of politics, and has emphatically denounced the present system under which the post-offices are regarded as political spoils. Unless there has been a decided and unaccountable change in the opinions of its members, there is no need to present arguments here in favor of changing that system, but it is important, in view of the attitude of the present administration toward the merit system and its extension wherever practicable. to discuss methods by which the change can be best effected.

It is not alone the civil service reformers who have voiced the opinion that the postmasters should be taken out of politics. The reports of the Civil Service Commission have contained recommendations and discussions of methods for accomplishing this object. The Commission, when President Roosevelt was a member, stated in its eighth report: "There is also urgent need for legislation that will place fourth-class postmasters and the remaining offices of the Government out of partisan politics." Bills have been introduced into Congress by influential members to abolish the term of presidential post-

masters, and to provide for the appointment of fourthclass postmasters upon a modified form of examination, supplemented by an inspector's report upon the availability of candidates. One such bill, introduced by Mr. Lodge of Massachusetts, was favorably reported by a committee of the House, but was not called up for consideration. And what is still more important, Postmaster-Generals, appointed with reference to party affiliations as members of the President's Cabinet, have not only bitterly complained of the amount of time taken from their administrative duties for the consideration of the vexed questions of appointments, but have also urged the extension of the merit system to the assistant postmastergenerals, and have seriously discussed, and have even practically applied, plans for taking the fourth-class postmasters out of politics. Under these circumstances, the actual accomplishment of this object cannot be regarded as a dream of impractical reformers, unless that term can be so extended as to include strong partisans and hard-headed administrators.

It is a reflection on the intelligence of the people to suppose for an instant that they would not welcome the adoption of any practical plan which would place the appointment and removal of postmasters on a strictly business basis. They are subjected to too great personal annoyance by the sudden substitution of an inexperienced for an experienced postmaster, and a change in the location of the post-office itself, to wish to continue a system even though they have become accustomed to it—which involves delay, if nothing more serious, in the handling of matters of daily concern to them. Due weight must be given to local prejudice and the desire for "home rule." The discontinuance of offices in communities which have long enjoyed the privilege, without the substitution of an improved service, the abolition of names to which people have become accustomed and the replacing of a local dignitary by a clerk detailed from a distant post office, or by the appointment of a postmaster who does not enjoy the confidence and respect of the community must be

carefully avoided; but these matters are guide posts, not barriers, in arriving at a system which will mean improved service, the acceptance of public office without loss of selfrespect and tenure of office during efficiency and good behavior.

On June 30, 1903, there were 74,169 post-offices divided as follows: 242 first class, 1107 second class, 3690 third class, 69,130 fourth class. The fourth class includes all postmasters whose annual compensation amounts to less than one thousand dollars. Postmasters of the first, second and third classes are appointed by the President, subject to the confirmation of such appointment by the Senate, and their term is fixed by statute at four years. Fourth-class postmasters are appointed by the Postmaster-General, and it is custom, not law, which gives to them a four-year term. During the fiscal year 1903 the number of changes in fourth-class postmasters, due to resignations, removals and death, is reported as 10,358. This in a year after Republican administrations have been continuously in power since 1897.

The compensation of a fourth-class postmaster depends on the amount of business done by his office. Although the limit of the class is fixed at \$1,000, the average salary at the present time amounts to about \$220. In other words the majority of fourth-class postmasters are receiving a salary which by itself is not sufficient for their sup-

port.

The normal increase from year to year in the number of fourth-class post-offices has been restricted in two ways: first, by the introduction by Postmaster-General Wilson of the plan of consolidating small offices with larger ones and creating stations and sub-stations where formerly independent offices existed, and second, by the growth of the system of rural free delivery. Consolidation has not been carried on on a large enough scale to keep pace with the regular increase in the number of fourth-class postmasters, but the extension of the rural free delivery system has been the chief cause of a reduction in the number of fourth-class offices of about two thousand in the last year.

Postmaster-General Wilson's plan for the consolidation of post-offices, which was continued in force and applauded by his successor, led to better service and greater economy. The postmaster of the small office became a classified superintendent of station or his place was taken by a classified clerk. Sanguine persons saw in it the possible solution of the whole problem through the gradual extension of the system until every fourth-class post-office was put in charge of a classified employee, and included in the district of some first or second-class office. Congress was, however, quick to take alarm at the restriction of its patronage. The consolidation of offices in the vicinity of Baltimore stirred the wrath of Senator Gorman. The Gorman Amendment was tacked on to a post-office appropriation bill when it reached the Senate in 1896 and secured passage.* It provided that no station, sub-station or branch office should be established beyond the boundary of the city or town in which the central office was situated, with an exception in favor of cities, towns and villages of 1,500 or more inhabitants not distant more than five miles from such boundary. Whether Postmaster-General Wilson's plan was capable of such extension as to cover gradually all fourth-class post offices is a question of departmental administration. It is, however, clear that the Gorman Amendment, conceived for the purpose of retaining post-offices as political spoils, is an outrageous piece

* The following is the text of the amendment in question:

Provided, That no post-office established at any county seat shall be abolished or discontinued by reason of any consolidation of post-offices made by the Postmaster-General under existing law and any such post-office at a county seat heretofore consolidated shall be established as a separate post-office at such county seat: Provided, however. That this provision shall not apply to the city of Cambridge, Massachusetts, or to Towson. Maryland: And provided further, That hereafter no station, sub-station or branch post-office shall be established beyond the corporate limits or boundaries of any city or town in which the principal office to which such station, sub-station, or branch office is attached is located except in cases of villages, towns, or cities of fifteen hundred or more inhabitants not distant more than five miles as near as may be from the outer boundary or limits of such city or town in which the principal office is located.

of legislation which should not be permitted to remain on the statute books. When this obstacle is removed the plan of consolidation can be carried to its natural limits and will help at least to solve the problem.

Rural Free Delivery has had a phenomenal growth in the few years since its introduction. At the end of the fiscal year 1897 there were 44 routes in operation. In 1903 this number had grown to 15,119. During the last year 6,653 new routes were established, and on June 30, 1903, 11,700 petitions for new routes were pending in the department.

The system is now well known to all who live or spend any time in the country. The carriers, who must furnish horse and wagon, receive a maximum salary of six hundred dollars. They start out from a central post-office, collect and deposit mail along their routes (in fact are moving post-offices) and in order to receive the maximum salary must serve one hundred families. They are permitted to do an express package business as well. The carrier service was made subject to competitive examination on February 1, 1902, by order of President Roosevelt.

The establishment of a new route does not by any means necessarily involve the discontinuance of a fourthclass post-office. Indeed, the figures show that, while over 6,500 new routes were established last year, the decrease in the number of fourth-class offices, due to all causes, was about 2,000. The demand is not for the discontinuance of the post-office, but that routes shall be established radiating from the office for the convenience of the patrons. Although it is not contemplated by the department that this system will gradually supersede the fourth-class postoffices, there has nevertheless been a marked decrease in the number of offices due to the establishment of rural free delivery, which is likely to continue in the future if Congress persists in its attitude of generosity toward the new system, and this will be an important factor in solving the problem of dealing with fourth-class offices. The limit to which it can be successfully carried is again a question of the administration of the department.

The examination for carriers in the rural free delivery service has been of the simplest possible character. Upon the establishment of a new route, an employee of the Post-Office Department, known as a special agent or route inspector, proceeded to the place to hold the examination. Those living within the territory of the route were allowed to compete. Each competitor was required to fill out an application blank in his own handwriting, stating his age, physical condition, previous experience, length of residence in the community, ability to furnish a substitute and a suitable equipment. He was also required to read twentyfive addresses and to fill out certain forms of receipts. The special agent then made inquiries of the patrons on the route as to the standing and reputation of the candidates, and submitted a report recommending the order in which the applicants should be placed on the eligible list. Candidates were then rated on the information contained in the application and the report of the inspector, by a Central Board of Examiners made up of employees of the Post-Office Department. The candidate receiving the highest standing was certified to fill the vacancy. This examination is similar in character to the examination provided for in the Lodge bill for the selection of fourthclass postmasters, which was before Congress for a number of sessions.

But this kind of examination conducted by agents of the Post-Office Department has not proved a success upon actual trial in the rural free delivery service. The information contained in the application blank was not sufficient evidence on which to base a rating of the relative fitness of candidates, and the order of candidates on the eligible list was determined in almost all cases by the recommendation of the special agent or route inspector. In other words, the examination was too simple to accomplish the purpose and the selection of a carrier was turned over almost completely to an employee of the Post-Office Department, acting nominally, it is true, as a representative of the Civil Service Commission, but, in practice, not under its immediate supervision, and conducting his investi-

gation far from Washington under pressure from those who wished to control the patronage. As a result the examination has not proved satisfactory as a means either of selecting the best fitted or of entirely excluding politics from the choice. Under these circumstances no one would recommend its adoption in precisely this form as a method of selecting fourth-class postmasters.

The Civil Service Commission has recognized that the regulations required amendment and has proposed radical changes which have, within the last few days, received the approval of the Postmaster-General. Under the new regulations the rating on applications is done away with and the usual kind of examination, such as we are familiar with for other branches of the service, is substituted. Still more important, the report and recommendations of the special agent or route inspector are abolished. The candidate receiving the highest rating is to be appointed unless protests containing specific allegations, duly sworn to, are made by at least five patrons of the route, and these protests are sustained by the Civil Service Commission. By thus pointing out the way by which the patrons of the route can prevent the appointment of a candidate in case he is really an unfit person, the principle of "home rule" is preserved.

How far is this new plan of examination, which is the result of actual experience, and which certainly promises well, applicable to the selection of fourth-class postmasters?

Only in those cases, in my opinion, where the compensation is sufficient to attract a sufficient number of candidates to compete. Where the salary, in other words, is sufficient by itself to provide means of support for the postmaster. For the conditions are not the same as in the rural free delivery service. Many persons who live within the territory of a proposed route may be found who are able to provide horse and wagon for service, and who will thus be eligible to compete for rural carrier, but very few persons in a sparsely settled district will be able to provide a suitable office for post office purposes in the exact locality where it is needed. In the one case

the post-office comes to the person, in the other the patrons have to go to the post-office.

As the compensation of a fourth-class postmaster is determined by the amount of business transacted by the office, where it reaches a sum sufficient for the support of the postmaster it is fair to presume that a village exists in which will be found enough persons owning, or having the use of, offices suitable for the purpose to compete for the privilege of conducting the post-office. In these cases the new examination for rural carriers could be successfully applied. The two systems might be worked together without necessitating any very large increase in the number of employees detailed to conduct the work of examinations.

Even with the adoption of this plan for dealing with appointments to the large fourth-class post offices the question of how to deal with the vast number of small offices would still remain an open one. Experience in rural carrier examinations seems to point to at least one way by which this problem can be solved. That way is by combining certain features of the discarded plan with provisions of the regulations that have just been put in force. The method I have in mind is as follows:

First, that the country should be divided into postal districts as provided in the Lodge bill. Second, that an examiner of the Civil Service Commission should be assigned to each district, but these examiners should be freely transferred from district to district. Under this plan, upon the occurrence of a vacancy in a fourth-class post office, an examination would be advertised and all those in the vicinity who could provide an office and furnish the necessary bond would be permitted to compete. The examiner would proceed to the place and hold a regular examination of the same simple character as that provided by the new regulations for rural carriers, open to all those who had filed applications in proper form. The papers would be sealed by him and forwarded to the Commission in Washington to be marked. After the examination the examiner would be required to forward a full report to the Commission in regard to the location of the office which each applicant intended to use for a post-office and its adaptability for post-office purposes. The Commission would then mark each applicant on his papers and the report of the examiner, and establish a register from which the Postmaster-General would be required to appoint the candidate standing highest, unless protest was made by the patrons in the same manner as provided in the new regulations for the rural service. In cases where, after due advertisement, the examiners found there was only one applicant for the position, the Postmaster-General would be permitted to give that applicant a permanent appointment without examination.

It is essential to the success of such a plan that the examination, from beginning to end, should be controlled by the Civil Service Commission. An attempt to carry it out through Post-Office Department agents would be unsuccessful in the same way and for the same reasons that the original plan for the appointment of rural carriers has not been successful. Again, experience has shown that it is highly important that the examiners should not be allowed to make recommendations as to the candidate. Under the plan proposed above he is to conduct the examination, but neither to draw up nor to mark the papers. He cannot in any way limit the number of candidates, and his report on the availability of an office for post office purposes is in regard to a concrete matter which is susceptible of proof on investigation.

The classification of fourth-class postmasters cannot be made all at once. It should take place gradually and no advance be made beyond the power of the Commissior to keep pace with it. The extension of the classification to the smaller offices, on the plan outlined, could not be accomplished unless Congress provided the increased appropriation which would be required to pay the salaries of the additional examiners who would be needed. A beginning might be made by applying the new rural carrier system of examination to the larger fourth-class offices.

The problem of taking the fourth-class postmasters out

of politics is not in the power of the Civil Service Commission alone to solve by merely constructing a suitable plan of examination. The first step should be the abolition of the four-year term, which has no basis in law. Congress must be persuaded to repeal the indefensible "Gorman Amendment," and to grant the appropriation needed by the Commission to properly conduct the examinations. Here is the real point of difficulty. The matter of the classification, and the rate at which the classification shall proceed, is entirely in the hands of the President to determine.

MR WHEELER: It seems to me that one of the practical difficulties we have to consider with reference to fourth-class postmasters is local sentiment, which is so strong in this country. We encounter it at every step, and it has so much to recommend it, that one hesitates to condemn it, though it is on account of this sentiment that we shall find it extremely difficult to do very much with the present system of fourthclass postmasters. Now, in New York City-if I may cite what is really, it seems to me, a good illustration—we have encountered this same practical difficulty with our Common Council. The idea that the alderman of the district is the protector, so to speak, of a large part of his constituents [if any one has a grievance, it is to the alderman he goes, and the alderman refers him to the proper authorities] is thoroughly instilled into the minds of our people, and we have found it practically impossible to abolish the Board of Aldermen, although, as a legislative body, we must consider it a failure, and we have taken away many of its functions and invested them in another body. Now that difficulty which we have encountered there, exists quite as much in the case of fourth-class postmasters. The political life of a district centers largely around the postmaster, and we must recognize that we shall never be able, until we make a radical change in our political methods in this country, and our political habit of thought, to do away with these conditions altogether,

though I believe that if we will be patient and go slow, we can, step by step, accomplish much that we have at heart, on the lines pointed out in Mr. Goodwin's paper.

MR. PROCTOR: I quite agree with what Mr. Wheeler says as to local prejudice with regard to postmasters, but in classifying fourth-class postmasters and bringing them under civil service rules it is not the intention to abolish postmasters or to abolish post-offices.

The plan suggested by Postmaster-General Wilson, and which Mr. Goodwin so ably brought forward, is certainly the most rational means of handling this question. It has been tried, and tried successfully, in Cambridge, for instance. When the Gorman amendment was about to cut Cambridge out, the people of Cambridge protested, so that that town was struck out of the amendment. The town of Towson, Md., and Cambridge were the only two excluded from the provisions of that amendment, because in those two towns they successfully protested that they did not want to change. I do not think we should bother ourselves too much at the outset about the character of examinations: that is a detail that will have to be worked out hereafter, and it is a detail that is going to be very difficult. I myself must say that I was not satisfied altogether with the examination for rural carriers, although I believe the results are a little better than Mr. Goodwin's paper would lead us to believe. While there were in many instances flagrant abuses, I think the general average of carriers was satisfactory to their communities. The examination has now been changed, and although the new method is a vast improvement, it is not to me satisfactory, nor is it, I think, to any of the Commissioners. We believe, however, that it is a good foundation on which to build and that we shall ultimately find a method by which patrons may express their opinion. I do not care whether the rural carrier knows very much about reading or arithmetic if he is satisfactory to the patrons and knows how to take care of his horse and how to deliver mail regularly every day, and purchase supplies and make purchases for his patrons, and make out post-office orders for them. That is the main point. The main point in securing fourthclass postmasters is to get a man satisfactory to the community; a man whose post-office is located most conveniently to patrons. This is the most important point and the point I think that can be worked out in future. The very admirable plan which Mr. Cooley is now engaged upon, in concentrating our examining boards in various localities, will help, I think, to solve this problem in the future. When we have a few centers with efficient boards, and efficient supervision, I think we shall then be able to handle the problem, and I am authorized to say here that the plan adopted by the Administration, of allowing fourth-class postmasters to serve during good behaviour, is going to be carried out and that it will be emphasized in the future. That is the most important point, that they shall serve for good behavior, and after that is once inaugurated and people become used to it, I think the people will demand that third, second, and first-class postmasters shall serve for good behavior, and it will be very much easier then to carry the system further. The most important work now for the League to do, I think, as Mr. Goodwin well said, is to try to induce Congress to repeal the amendment which prevents the extension or bringing in of local offices and making them sub-stations to centers. I have a copy of what Postmaster-General Wilson said on that point, and I think you will see that this is the great and important point at issue. When he went before the committee of Congress—and it is very strange that with this statement before it Congress failed to repeal that amendment—he said:

First, it strengthens and improves the postal organization by introducing, through natural and easy development, the system of competitive responsibility or control;

Second, it lessens by a large amount the necessary expenditures for the postal service, with the certainty that this decrease will gradually swell into millions of dollars annually;

Third, it increases and improves the postal facilities, which in turn further increases the revenue of the Post Office Department;

Fourth, it insures a prompter and more intelligent

handling of the accounts, with less bookkeeping, less cor-

respondence and fewer requisitions for supplies;

Fifth, it calls for no legislation, no increase of officers; it will increase gradually the number of officials under civil service rules and this, among other advantages, insures a

better and more businesslike management.

Notwithstanding all this, that amendment has remained as the law of the land from 1876 to the present day. If that amendment had been repealed I believe that by this time at least one-half of the fourth-class post-offices would now be sub-stations and the problem would be a very simple one. In the last report of Postmaster-General Wilson, he says: "After another year's experience at the head of the service and much reflection on this difficult matter I am more than ever convinced that the plan of consolidated offices is the most feasible method yet devised of bringing post-offices within the classified service especially as it is still more the most feasible plan for improving the business organization of the department." In that report he shows that in 74 post-offices merged, there was an average saving of 35 per cent., and that twenty offices consolidated with the Baltimore office (some of them at a considerable distance from the city limits) report a decrease in expenditure of one-thir I and an increase of revenue of one-eighth and double and quadruple the number of mails received. And yet that has had no effect; the amendment still remains, and thus retards this admirable work, which is, I believe, not only good from a civil service standpoint, but which has been proven most desirable from an administrative standpoint in improving the postal service. I could give you, if I had the time, numberless instances, brought to my attention in conversation with postmasters, where this would be a very great saving and improvement in the postal service. I think that the most important work of League lies in trying to get that amendment struck from the appropriation bill, and if this is done I can assure them that the consolidation of post-offices will go on until the problem is settled.

MR. DANA: Apropos of the remarks made about the post office, I would say that in the scheme Mr.

Goodwin suggests there was one proposition which may have escaped your attention, and that was to divide the post-offices of the country into districts. Now, the United States post office, barring some special features of it, which are excellent and perhaps better than those of any other country, such as the railway mail service, is far below the post office system of any other civilized nation. The people do not know how bad a post office they have. and one of the reasons is that there is absolutely no organization in the proper sense of the word. There is the Postmaster-General and Assistant Postmaster-General in Washington, political officers altogether, put in for political reasons, who hold short terms, know nothing about the enormous business of the post office and its needs, and who, just as they begin to learn them, are put out of business for some political successor. They form the head and there is absolutely nothing between them and the postmasters. It is like having an army in which there is nothing between the general and his staff and the captains of the companies. Every other mail service in the world has a regular graded system of departments and department superintendents, and whenever anything in any particular department is to be done, whether it be the furnishing of supplies, or the opening of a new route or anything of that sort, then that is attended to and reported upon by the superintendent of that district, who knows the business men and the business needs of that particular community. Every express company is divided in the same way—into districts—and has its superintendents and sub-superintendents and inspectors. We have a certain number of United States inspectors in the Post Office Department. Now I merely mention that because it is right in the line of this suggestion, and while it is a little out of the order of civil service reform, it also has its bearing on civil service reform, because we ought to have in the department men who have had experience in that department. The Assistant Postmaster-General in Washington ought to be eligible for promotion because he has managed the post offices well.

Now it happened when I came on to Baltimore, that in

the seat next to mine sat a man who took out a number of cards with a good many names on them. I asked him what they were, and he said they were the names of new post-offices within the scope of his district. Then I said, "You are a railway mail clerk, are you not?" and he said, "Yes," and that he was learning all these new names. He said he had been in the department some 15 years. Most of the people have an idea that we have the best service railway mail service—going. I believe in no country in the world are the employees compelled to work as long or expected to do as much work as those men do. We must bring to our aid the business men by letting them see that by carrying out civil service reform principles we can also make the post office what it ought to be, that is, one of the best post-office departments of any civilized country in the world, instead of being the worst.

MR. PROCTOR: One thing more in regard to what Mr. Dana says. The railway mail service, which is said to be the best service, is the service where there is the most rigid application of civil service rules of any service in the United States and has been for years. And another thought; we find a growing sentiment in Congress in favor of giving up the patronage of fourth-class postmasters. That feeling, I think, is growing very rapidly, and I think if you can carry out the suggestion that has been made, that fourth-class postmasters can be promoted and transferred to important offices for faithful and efficient service. that will also be a very great step in improving the service. During Mr. Cleveland's administration there was a petition, signed by something like 50,000 fourth-class postmasters, asking that they be brought into the classified service. If fourth-class postmasters understand that by this system they would be made clerks in charge, their influence might be directed on Congress to induce them to annul the Gorman amendment.

MR. WYMAN: It seems to me this is a very important question and I move that it be referred to the Council for its careful consideration and such action as they deem advisable.

Some Phases of the Practical Workings of the Competitive Examination System.

BY HON. HOMER FOLKS, COMMISSIONER OF PUBLIC CHARITIES OF THE CITY OF NEW YORK.

WILL a personal word at the outset be pardoned as to the point of view from which the subject is approached in this paper? For ten years before my appointment as Commissioner of Public Charities it had been my duty to visit public charitable institutions, and to study the administration of public relief. My natural inclinations in favor of the merit system were tremendously strengthened by what I saw during this period of the mischievous results of the spoils system upon the administration of public charities. The maxim "to the victors belong the spoils" became to me a hateful saying; the spoils system spelled neglect, suffering and death to hundreds and thousands of the recipients of public aid throughout the United States. It was wasteful; it was cruel; it meant harmful injustice to the patients and inmates of public institutions, and also to the employees, and to their families. As a citizen, and as one specially concerned in the well-being of public charitable institutions, I was strenuously in favor of the extension of the merit system to public charitable institutions to the greatest practicable extent.

During the past two years I have been charged with the responsibility of administering a department of public charities, caring for an average of some seven thousand persons in a score of different institutions, scattered through all the boroughs of Greater New York, with a current expenditure of about two millions annually, and an expenditure for new buildings of about half a million annually. The average number of employees of the Department varies, according to season, from some fifteen hundred to nearly eighteen hundred. The number of positions in the exempt class is but seventeen, of whom seven are chaplains. All the others are either in the competitive class, the labor class, or the non-competitive class in which non-competitive examinations are held by a special board nominated by the Commissioner and confirmed by the Municipal Civil Service Commission.

Appointments, promotions and dismissals throughout the great bulk of the service are, therefore, subject to the provisions of the civil service rules of the City of New York, and the provisions of the State civil service law, known as the White Law. The primary duty of the Commissioner of Public Charities is, of course, to take good care of the poor. The civil service statute and rules are intended, I take it, to assist him in that direction, or at least to interpose only such obstacles as are necessary in order to prevent the use of the positions for unworthy purposes, were the Commissioner so disposed.

Were I to try to express in one sentence the extent to which my views have been modified by these two years of experience, it would be as follows: The price we must pay for restraining public officials who would use their positions for partisan purposes, is some measure of limitation upon the usefulness of those who would not abuse their trust; but the system at the present time, through lack of its full development, imposes additional limitations which are not necessary to its usefulness.

Some of the respects in which the system, as at present administered, seems to me to impose unnecessary and harmful limitations upon the work of the head of a department are as follows:

1. The character of the eligible lists provided for many classes of positions seems to me to be needlessly poor. In the clerical service, and in some other lines in which there are large numbers of applicants having substantially the same training, which require little in the way of individual temperament or initiative, and in which actual tests are easily applied, no serious fault is to be found. In the

main, the best qualified persons are apt to be rated toward the head of the list for clerical positions. In regard to other positions in such a department as that of Public Charities, positions involving particular duties connected with hospital work, such as stewards, purchasing agents, superintendents, assistant superintendents, etc., etc., I must confess that it seems to me that the lists have been of indifferent quality at the best, and sometimes hopelessly bad. Those standing highest seem, in many cases, either to have no practical knowledge of the duties to be performed, or, having practical knowledge, to have some temperamental or moral defect, which would make their appointment certain to lead to bad results. Even when competent and experienced persons have been induced to take the examinations, it has by no means followed that they have secured favorable positions on the eligible list, or even that they have secured any place on the list. The net result of placing such lists before the head of a department is to throw the balance in favor of the retention of semi-competent, mediocre incumbents. We are told that the appointment should be made and the incumbents dismissed if found unsatisfactory. This may be done in the clerical service, but if the position involves the health, security, perhaps life or death of fellow human beings, a Commissioner hesitates to take such chances. Some of the facts which seem to lead to the establishment of eligible lists of poor quality are these:

a. The examinations being held at intervals of several years, being advertised only a comparatively short period of time, and as a rule only in official channels, the number of competent people taking the examination is small. Naturally, only those who are at the time out of employment, or have been unsuccessful in securing remunerative employment, are apt to take examination. The men who have demonstrated their success and ability in private employ, are not apt to take an examination because of the possibility of desiring to enter the public service at a later date. It may easily happen that very shortly after an examination is held, much more desirable material becomes available, but the eligible list being already estab-

lished there is no opportunity for securing a position thereon. The list can rise no higher than its source. Improvement may be sought in advertising more widely the examinations among the classes of people who are likely to be best fitted for the positions in question—thus, for examinations for the Department of Public Charities, special notices might well be sent to institutions or societies employing people in similar capacities. The weekly magazine "Charities," published in New York City, has recently announced both State and municipal civil service examinations, and, I believe, with excellent results. The question of securing publicity among qualified applicants, and, if need be, of actually inducing them to enter the examination as a public duty, might well be taken up, it seems to me, by civil service reform associations. It might perhaps be held to belong more properly to their duties than to those of public officials. Certainly the failure to secure people to enter the examinations threatens the permanence of the system these bodies have labored so faithfully to establish.

b. The examinations should be held more frequently, in order that new material becoming available may secure its rightful recognition and opportunity. I should think that it might be possible to devise a system by which an examination should be held every six months, or every year, for certain positions, and in which the new material should find its place on the appropriate eligible list according to its rating, not displacing those already on the list

except as higher ratings are secured.

c. One of the most serious weaknesses of the examination system, as applied to charitable institutions, has seemed to me to be the preparation of questions and the marking of papers by men who were not themselves experts in the subjects covered by the examinations. The heads of departments are sometimes consulted in a general way as to the duties to be performed. It is not always the case, but even when they are consulted, the actual framing of the questions and the rating of the answers cannot be satisfactorily performed except by those who have first-hand knowledge and experience in the particular line of

work to be covered by the examination. I judge that the employment of experts is more common in the State service than in the city service, and this probably accounts for the fact that in New York the system seems to work much more satisfactorily in connection with the State charitable institutions than with those of the municipality. Unless those rating the answers are thoroughly familiar with the duties of the position to be performed, they are apt to rate unduly high those papers that are written in a plausible and ready manner, and to give less credit than is deserved to papers which are written with less ease but which, to a practical expert, show much greater command of the subject.

d. Closely related to the failure to employ experts is the failure to secure practical working tests of the ability of the applicants to perform the duties of the positions in question. In some cases it is doubtful whether a written examination can ever supply an adequate test; in other cases it has seemed to me that very much better tests could be made-even of the written examination characterthan are made. Any of you who have looked over civil service papers, and the rating of such papers, must have been impressed by the fact that even in the case of a written examination wide discretion must be exercised by the examiners, and that frequently two examiners rate the answers to a given question very differently. The range of discretion would not be increased beyond reason, it seems to me, if actual concrete working tests, in the nature of the performance of the duties of the position, were in some cases substituted for written examination. For example, in an examination for the position of hospital electrician it would seem to me much more satisfactory to require each applicant to make an X-ray picture of some subject, rather than to simply test his knowledge of the subject by a written examination. In regard to duties involving the handling of supplies, the management of a hospital, etc., etc., I should think that similar practical tests could, in many cases, be devised. remarked recently in another connection, if there is to be an examination for the position of baker, the applicants

must be given the yeast, flour and other ingredients, and must actually bake bread, and the examiners must judge of the bread by their own taste. Such tests are open to the objection, of course, that the identity of the applicants become known to the examiners. This, however, is true to a certain extent in written examinations. The handwriting of the applicants may easily become known to the examiners, and in other ways it is not only possible, but comparatively easy, for an applicant to place some fact in the hands of the examiners by which his paper can be identified.

- e. The fact which affects most unfavorably the quality of the eligible list is the deferential right given to veterans. This, in connection with other provision of the law, making it extremely difficult to dismiss a veteran, except after trial, with counsel on each side, and with all the formalities of a court, have, on more than one occasion, constrained the appointing power to make no new appointment, but to struggle along with incompetent or semi-untrustworthy incumbents.
- 2. The poor quality of some of the eligible lists provided is not the only feature of the actual operation of the competitive system which seems to me to place an unnecessary restraint upon the appointing power. Under the rules, as in force in New York City, all changes of titles, all promotions, and thus practically all re-organization of offices and bureaus, must be passed upon and approved by the Municipal Commission. In departments whose work is substantially continuous from year to year this may involve little hardship; in departments whose year work varies widely with different seasons and with different years, which are dropping obsolete methods and plans and taking up new ones, which are trying to keep pace with the development of charitable activities in the city generally, it is important that the heads of departments should have a considerable measure of freedom in managing the affairs and the officials of their departments, so long as they do not violate the spirit and intent of the merit system. In large departments the head can only become fully acquainted and deal adequately with

the different bureaus and features of the work of his department at intervals. He must also take up and organize one branch and then another, and it is important that he should finish the work as he goes along, for he will not be able to pass that way again in the immediate future. There is only one day in which the new work can be done, and that is to-day. Only actual experience could enable the members of this body to fully appreciate the delay involved in submitting each change of title, each promotion, etc., to a body which meets weekly, and which may very likely lay the matter over for one or more weeks for further information or more mature consideration. I am strongly of the opinion that a municipal civil service commision should be a very small body, substantially always in session, ready to make authoritative decisions with out delay.

3. The third feature worthy of consideration is the amount of time and energy required of the head of a large department in merely presenting all these details to a civil service commission, collecting all the data, putting it into proper shape, and getting it favorably acted upon. The toll taken of his time and energy for these purposes is very great. It is a fair question whether it is worth while. It is certainly desirable that it should be reduced to the minimum consistent with an honest enforcement of the merit system.

It has been said by critics of the merit system that it is a brake on the wheel, but that it operates on the up grade as well as on the down grade. The criticism is perfectly true, and probably we are all ready to admit that it must operate as something of a limitation on the usefulness of commissioners who fully believe in the system, and who presumably would make equally good appointments if freed from these restrictions. It should certainly be our study, however, to reduce the application of the brake on the up grade as much as possible without injuring the brake, to see that no unnecessary force is applied, and to bear constantly in mind that the system, is not an end in itself, but is merely a means to an end—namely, honest and efficient administration.

The substantial success of the civil service system on the negative side of diminishing the evils of partisanship is undoubted. This result is of enormous value. Is not the system, however, capable of being also a positive agent in securing the selection of the best men for the public service; cannot tests be devised, examinations arranged, applicants secured, questions prepared and answers rated, so that those who are best fitted for the public service will enter it, so that not only will partisanship be restrained, but efficiency promoted, not only in the clerical service, but in other lines of public administration? I firmly believe such to be the case, and if I might venture a word or suggestion to this body of citizens devoted to the establishment and maintenence of the merit system, it would be that it should address itself to the improvement of the actual workings of the examination system; that, without relaxing its opposition to improper exemptions from competition and its criticism of evasions of the law, it should also and in sufficient measure address itself to the important problems involved in the improvement of the examination system as related to other lines than the clerical service. In a department such as I have the honor to represent the clerical service represents the merest fraction of its work. The same is true of many other municipal departments.

What I have said is not to be regarded as in any sense a criticism of those engaged in the administration of the civil service system of the City of New York. but simply of certain features of the system itself, as now established, which seem to me to permit of great improvement. At the close of my term of office I still give my unqualified adherence to the merit system, and desire its full application to those positions to which it can be successfully and practically applied. It is because I am jealous of the safeguards which it now provides, and which in my opinion are being endangered by some of the less fortunate features of its operation, that I anxiously desire that these matters receive such consideration and study as will obviate any just cause of criticism, and make the merit system a more effective agency in the promotion of efficiency in the municipal service.

The Relation of Political Parties to Civil Service Reform.

HON. EDWARD M. SHEPARD.

ADIES and Gentlemen: I have been asked to speak here, in part at least, because I am a member of the minority party. Perhaps I should put it that I am a member of the party, not in a minority, but only out of power, thus confessing my hopes and even my expectations. At any rate the Democratic party has, in all really great or basic reforms, in everything which, for Americans, makes bad or good government, duties to perform—and a willingness to perform them no less than the party in power. If it were not so, if it were imaginable that nearly one-half of the people were hostile to things essential to the wholesome continuity of civil government, we should be indeed in a very bad way. We are far indeed from being in such a case. There can be no misapprehension greater than the inference, either from carelessness or violence of language, or from occasionally reckless behavior, that there is any real and permanent antagonism to the continuance of good government in this Republic of ours. If any such inference were justifiable, some high in the confidence of the party in power would be at least as open to the distrust of patriotic men as any of my political faith. I believe that the party out of power ought to be, and I believe it is, no less faithful than the party in power to the reform to which all of us here are dedicated. May I, before I sit down, say something of the uses of political parties, whether in or out of power? and, if I may be permitted, a word of advice to my associates in the civil service cause, who are less interested in any political party than I am in mine. Some recognition of this force is, in my opinion, essential to any large and continuous usefulness of the reform.

I assume the intrinsic merits of the reform. I assumed those merits many years ago. Every year that has passed since my interest in our cause began, its merits have seemed to me to be clearer and clearer. I never heard them more clearly stated than by Mr. Schurz this afternoon; and I rejoiced, for my own sake, that the arguments sounded to me just as true as they did twenty years ago, that they were not a bit outworn. This was, no doubt, because the reform is based upon a truthful regard for human nature and the necessities of free government. I assume the solid establishment of the reform, its permanent hold upon official life, its permanent hold upon public sentiment. nothing more were before us than the fact that the reform is buttressed as it now is at Washington and in the City of New York, I should be perfectly certain that the future battle is not doubtful. The territory thus far won will be held. But a more telling object lesson than the establishment of the reform in New York and other cities and in the departments at Washington is the fact that the reform is in the Federal service introduced to almost every part of the country. Every large town now knows at least something of civil service reform. Except in some of the slightly populated regions of the West, every American citizen, every American boy or girl, is within hearing at least of the cause. He knows of some town near by large enough to be the seat of civil service appointments and where the theory of competitive merit is asserted. Throughout the country at large is a body of missionaries. I agree with Mr. Foulke that, whatever any new President may think or hope or imagine that he can do with party patronage, it is now inconceivable that he shall go far to destroy this structure in the Federal service. The object lesson of so great a city as New York produces its effect week in and week out, commanding, as it does, the incessant attention of the country. There are in its compact service 18,000 places subject to competitive examination. The number of employees not appointed on competition, or from the register of laborers, or upon examination as teachers, is insignificant. It is, indeed, so small that it does not enter into the contests for party or factional supremacy in the city. Appointments to places in the unclassified schedules have practically no effect upon party or factional fortunes. It is within a week that I heard from a powerful political leader of the majority in the City of New York an observation not without interest to a body of civil service reform-He said, referring to one of the very large and important civil offices in the ci v: "There are but two places even there in which I am interested. It is impossible to interfere with the operation of the civil service rules in that office. If we wished to do so the trouble provoked for ourselves would make it entirely impracticable." I have no doubt that, if civil service methods in the City of New York were not protected by law or by the supervisory power of the State Board (which happens to be a board Republican in its majority, while the incoming administration of the City of New York is Democratic), even if that protection did not exist I should be without any doubt whatever that the mass of the places would remain as they are now-certainly at least for a long time to come. No doubt there would be some nibbling here and there; but the substantial fabric that has been built up, and that is represented, if I may say so here, in the very fine work accomplished by Mr. McAneny in the new Civil Service Code, would not, I believe, be disturbed.

I believe that in general our reform has been wisely promoted. I go further and say that the record of political and social achievement in our country offers no equal in one respect to the development of civil service reform. Never have means so seemingly inadequate accomplished a result so broad and so splendid. The report of the National Civil Service Reform League for 1902 shows that its expenses for that year were \$7,168.11. The expense of the New York Association (and its expense

is larger—as no doubt it ought to be—than that of any other local association) was about \$7,000. I doubt whether at any time during the twenty or twenty-four vears of civil service reform agitation, the average annual expenditure in promoting it has exceeded \$30,000. or the amount of the salaries of three Senators and three Congressmen. I suppose that during the last twenty years it may in all have cost a half a million of dollars. And what has the agitation done? It has transformed public sentiment; it has revolutionized the federal service and the services of the American metropolis and of other great cities of the land; it has done a work of inestimable usefulness to the politics of the country. Search the statistical history of the United States from the beginning, and find, if you can, an expenditure of \$500,000 for which there can be shown so vast and so beneficent and so enduring and practical a result. the government the reform has cost nothing and far less than nothing. To the government and the tax payers it has saved large sums of money. To those who have promoted it the cost (being the only money cost of the reform) has been hardly one-thousandth part of the \$500,000,000, which we have spent in acquiring our possessions beyond the seas by war, or one-tenth part of the cost of the acquisition of Alaska by peace. Here has been a triumph without bloodshed or tears: a triumph noble and pure; one that no intelligent and patriotic citizen regrets. I assume to-night something further, that the spoils system is not necessary to party work. That point has been made clear again and again. To the party in power the system is obviously a burden. One never talks to an intelligent and fair man in the possession of an executive office on this subject without finding, if he speak freely, that he looks upon the patronage of his place as a source of weakness and not of strength. The same thing is not so obviously true of a party out of power, seeking to oust those that are in. The "outs" undoubtedly gather some assistance from this source, in the hope that they spread among the ten or one hundred men for every

office which can possibly be filled, that each one of the ten or one hundred may be selected to occupy the office. For there are some, perhaps many, who vote upon their hopes, and not very excellent hopes they are, of the future.

A party that is to be useful must, in the first place, have a past. It must have its own traditions, its own historic creed. A political party must have a future, and, like any other organization, its future is far from safe, if it utterly or shamelessly disregard the effect upon that future of present defiance of public sentiment. anyone in the responsible and statesmanlike conduct of a party campaign, whether in the preliminary arrangement of nominations or in the final contest at the polls, will hesitate, if he wish a long future for himself, before he commits himself to promises of place, either vague and general or specific. The more experience he has, the more he comes to doubt whether the spoils system is a help even to get into office. By and by this will be as clear as it now is that the system is a vast burden to an able and honest man after he gets into office. How unnecessary it is to political campaigns has been demonstrated again and again. We have long known that such campaigns in England are as intense as they are here. But take our own Presidential campaign of 1896. Whatever be our opinion as to the main question involved, the question of the proportions of gold or silver in a dollar, it was in one way an ideal political campaign, for a distinct issue was raised and distinctly decided by an electorate trained and educated upon the question involved by long continued and multifarious discussion. What part had the hope for office to play in that campaign? Hardly any. I venture to say that it did not influence one per cent., either of those who made the attack, or of those who were in power. Take another illustration, the municipal election last month in my city of New York. I venture to say that spoils, either the possession of them or the expectation of them, did not affect one voter out of five either on the side of the majority or of the minority. There were other ques-

tions that went to make up the public sentiment represented in the defeat of Mayor Low. It is a great mistake to suppose that where, as in New York, there was a majority of 60,000, each one of that majority sees a job for himself. It is not true of each one, or of one out of . five, or, I believe, one out of ten. If it were true of a majority, as many seem to think, human nature would be in a lamentable condition. Good government and democratic civilization themselves would be impossible. We should sink in rotten inefficiency. Right or wrong views on the liquor question, personal like or personal dislike of people for a man in a great public office, where he is a mark for every kind of attack, the sentiment of antipathy to the party in power when the times are hard, or there are strikes, or prosperity is checked, these and other things going to make up public sentiment may, and often do, decide municipal elections in disregard of more practical considerations which ought to control. But rarely does or can mere spoils hunting determine the result.

So far as concerns the future battle for our reform, I believe that our efforts should be directed perhaps to two main points. One is the establishment of the reform in cities other than those where it now exists. That work we should do as civil service reformers. The other is the promotion of the reform in party organization. That work we should do as good citizens and also and especially as civil service reformers.

Many of our brethren think our prime effort should now be to put the vast number of fourth-class post-masterships in the Federal service into the competitive system. I should rejoice if for those places some standard of merit could be set up and some reasonably assured continuance in office established. But I see, or think I see, the difficulty which faces a President who attempts this reform. The difficulty is enormous. The President who is asked to do that perhaps ought to do it, although in the effort he break to pieces his own power for other important achievements. No President will, however, do it without being advised by a

very large majority of those he deems to be expert, that to do it would destroy his available power for other great causes. What would be said, and what would be said with force, is that in promoting the reform in any small village, you have to deal with the absence of a local sentiment in the village for civil service reform. In many, probably most villages, there is not one person out of a hundred who does not think that the postmaster ought to be a representative of the party in power. The belief is mistaken, civil service reformers think, and in time it is to be reformed; but, while it exists, the difficulty of the proposed change is enormous. Until you and I shall have much longer preached this doctrine, until our preaching shall have convinced a larger proportion of the cities; until we can bring to civil service gatherings a larger body; until we can know that in the backwoods, in the mountains and on the farms there is the same kind of interest in our reform that there was in free silver or in sound currency several years ago, we may be compelled to go slowly in dealing with this body of representa-tive and isolated office holders in the villages of the land with their small and often trivial salaries. Perhaps we shall first have to fight for a longer tenure and less frequent displacement, before asking for competition. In cities the reform is relatively easy. So much of the work to be done in urban service is of a technical kind—and therefore, as everybody understands, a fit subject of examination. Cities exist under charters in most of the States, with which legislatures may interfere. It is no uncommon thing that legislatures do interfere and there exists a kind of jealousy at the State Capital or in the city of which we (who are the elect) may very probably avail ourselves. It is relatively easy to put into a charter some civil service reform proposition; and, having got thus far, the rest may, and frequently does, come. A meeting like this in Baltimore will have an influence, I take it, in Baltimore, different from the influence over the country at large of any convention we might assemble. Then, the obvious results of success in cities are plainer and more arguable than in rural thinly populated districts. Each city adopting the reform becomes an object-lesson and a beacon light to others. As the reform gathers strength and as the standards of administration rise higher and higher, as they inevitably will in cities which are now subject to civil service reform laws, their influence upon the public sentiment, not only of their own neighborhood but of all the rest of the country, will become greater and greater.

May I now say some words about the question of party organization? It may as well be realized that the average man in politics—I mean the average honest man (if you believe he exists in politics) the average honest man in practical working politics, believes that our body of civil service reformers is hostile to party organization. Now, he is sincere in this. For his part he is unable to understand how any cause can be conducted without party organization. He says: "You civil service reformers—now allied with one party and now with another-you are out of sympathy with party sentiment, and therefore we are out of sympathy with you." It is, no doubt, the case that a very large proportion of civil service reformers have found themselves constrained by their intelligence and their conscience to be independent, to go from one side to another according as one side or another seemed to them right or wrong. Nevertheless, I do not believe that civil service reformers, or any considerable number of them, are hostile to party organization. It is true that many of them are impatient with party abuses and partisan scandals; it is true that, being impatient, they often express themselves in language of sweeping condemnation of politics and politicians and of those who in any way take part in organized politics.

Well, you may ask me what advice upon this matter I have to offer to civil service reformers. If I were entitled to offer any advice I should not advise them to be less independent; but I should advise them, or such of them as seem to me to be heretical on this point, and I

should offer my advice most respectfully, not to count organized partisan politics as an unmixed evil, or as in itself an evil at all. I beg of them, indeed, to treat this instinct of political partisanship as something necessary and inevitable, and, if rightly used, most wholesome. I beg my associates in the cause we represent to-night to treat with greater respect than some of us have been inclined to, those party traditions which keep together the body of a party, and never to fail in respect for that normal and wholesome instinct which makes men love association, to meet men and to fight their battles together. All of that is part of our social composition and is a thing which, to my mind, ought never to be discouraged. Indeed, by it our own cause has prospered. In Mr. Schurz's speech this afternoon, he referred to the recent municipal election in New York; and what he said, if I understood him aright, illustrates what I have in mind. He quoted Senator Platt as saying of Mayor Low that the Republican organization had got from him only three per cent. of the appointments, and Mr. Schurz very justly condemned the statement, bearing in mind the platform upon which the Mayor was elected in 1901. There were, however, others besides Mr. Platt who complained. Why single him out? There was Mr. Sheehan, a conspicuous Democratic politician, who had in 1901 supported Mr. Low, and who complained that he had got a very small percentage; there was the Coffey organization which complained that it had got but a small percentage. So with others, each insisting that rivals had got a much larger share of the patronage than they were entitled to. Mr. Sheehan pointed out that Mr. Platt got a very much larger percentage; Mr. Platt retorted that his percentage was excessive, and so on. I ask you to notice what is alone significant, that these leading politicians all got a percentage of some kind; each admitted that he had got some partisan recognition —the head of a department or heads of two departments; the discontent in each case being, not that they got nothing, but that they did not get enough. Now, perhaps, one difficulty in Mr. Low's appeal to public

sentiment was that, after a campaign upon a non-partisan basis, he undertook, to so large an extent, to make the most partisan kind of a division of offices—giving to each boss because he was a boss. In my judgment, Mr. Low would have been far stronger, so long as he stood, or claimed to stand, upon a non-partisan basis—if he had simply said: "I recognize no division whatever."

When Mayor Low undertook to distribute places among political machines, he surrendered up the strength that there was in his platform. I cannot, therefore, quite agree with the views stated by Mr. Schurz this afternoon concerning the last municipal election in New York. Nor do I think it either true or helpful to impute to the majority of that city a condemnation either of the reform for which we stand here to-night, or any other great reform, unless it shall appear that the reform was distinctly and unmistakably represented by one side in the campaign and opposed by the other side in the campaign. And it is difficult for anyone familiar with political conditions in the City of New York to believe that that issue was presented in November last. But this is an aside. I say what I do only because I do not think that the New York election turned upon this issue or that there is justification for believing that the majority of the voters intended to condemn our reform.

I hope myself to see both parties support the reform. I hope earnestly and especially to see those of my own faith stand for it. My co-partisans will, I hope, use their party traditions of the past, their party expectations and aspirations for the future and all the other faculties of a great party to strengthen a reform so vital to pure and useful politics. I hope earnestly that the Democratic party, whenever and wherever it comes into power, will not take a single step backward. The joy of new spoils—I mean mere "spoils"—is certain to be short-lived. No party can have permanent success, unless through a large hold upon the average good citizen-

ship.

ORGANIZATION

OF THE

National Civil Service Reform League.

CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of Civil Service Reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other Society or organization to take part in any designated meeting of the League.

With the approval of the Council the Secretary may organize Correspondence Committees, of not less than three members, for the promotion of the work of the League in localities where there is no Civil Service Reform Association;

the members of such Committees shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be

chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be ex-officio members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

- § 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.
- § 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.
- § 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.
- § 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.
- § 5. The order of business at each meeting of the Council shall be:
 - The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

- 2. The admission of new Associations.
- 3. Statement of the Treasurer.
- 4. Report from the office of the Secretary.
- 5. Reports of Standing Committees.
- 6. Reports of Special Committees.
- 7. Miscellaneous business.

- § 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:
- (1) A Committee on Finance, to consist of not less than nine members;
- (2) A Committee on Publication, to consist of at least three members; and, ex-officio, the Secretary and the President of the League; and
- (3) A Committee on Law, to consist of at least four members, and, ex-officio, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occuring in any one of them may be filled by the Chairman of the Council.

- § 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:
- (1) A Committee on Nominations, to consist of six members and, ex-officio, the Chairman of the Council.
- (2) A Committee on Resolutions, to consist of six members, and, ex-officio, the President of the League.

These two Committees shall submit their reports at a megaing of the Council immediately preceding the annual megaing of the League.

- (3) A Committee on Report and Programme, to consist of two members, and, ex-officio, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.
- § 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.

PROCEEDINGS

AT THE ANNUAL MEETING OF

The National Civil Service Reform League

HELD AT

WASHINGTON, D. C., DEC. 8 AND 9, 1904.

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

PUBLISHED FOR THE
NATIONAL CIVIL SERVICE REFORM LEAGUE
NEW YORK

1904

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ANNUAL MEETING

OF THE

NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 8 AND 9, 1904.

PURSUANT to a call duly issued, the twenty-fourth annual meeting of the National Civil Service Reform League was held at Washington, D. C., on the 8th and 9th of December, 1904. The delegates from Civil Service Reform Associations in attendance during the several sessions were the following:

BUFFALO: Ansley Wilcox, William Burnett Wright, Ir.

CAMBRIDGE: Arthur H. Brooks, Richard Henry Dana, Elliot H. Goodwin, G. V. S. Michaelis, James J. Myers, W. W. Vaughan, Morrill Wyman, Jr.

CINCINNATI: N. H. Davis, Max B. May.

CONNECTICUT: Gen. William A. Aiken, Edwin L. Chapman, Henry W. Farnam.

DISTRICT OF COLUMBIA: John Joy Edson, Weston Flint, Charles E. Foster, John W. Foster, William Dudley Foulke, Henry Haywood Glassie, Gen. George H. Harries, William Bruce King, Francis E. Leupp, Charles Lyman, Henry B. F. MacFarland, Charles W. Needham, Harry T. Newcomb, F. L. Siddons, William Simes, Thomas W. Smith, Gen. Ellis Spear, Charles W. Stetson, Simon Wolf.

INDIANA: William Dudley Foulke, Harry J. Milligan, Lucius B. Swift.

MARYLAND: David Ash, Charles J. Bonaparte, Wilson M. Cary, Theodore Cook, A. M. Elliot, George Frame,

Daniel C. Gilman, H. P. Goddard, Dr. Richard Grady, Rev. Alfred Rodman Hussey, Dr. John T. King, J. Clarence Lane, Cleveland P. Manning, Henry C. Matthews, Edgar G. Miller, Joseph C. Mullin, Dr. Charles O'Donovan, Walter B. Platt, J. Wirt Randall, George Reuling, William Reynolds, John C. Rose, Edward Stabler, Jr., Philemon H. Tuck, Elisha H. Walker, Dav Allen Willey.

Women's Auxiliary of Maryland: Mrs. George Adolf Ahrens, Mrs. Robert Baldwin, Mrs. Charles J. Bonaparte, Mrs. J. M. Boyle, Mrs. B. W. Corkran, Jr., Mrs. J. H. Cottman, Mrs. John V'L. Findlay, Miss Fowler, Mrs. Daniel C. Gilman, Miss Elizabeth Gilman, Mrs. H. F. Going, Mrs. William Green, Mrs. Charles F. Habighurst, Miss Elizabeth Hall, Mrs. B. Howard Haman, Mrs. Frank Hambleton, Mrs. Alexander Harvey, Miss Haydock, Mrs. L. W. Hill, Mrs. William S. Hull, Miss Johnstone, Mrs. John T. King, Mrs. A. Leo Knott, Mrs. Guy Carleton Lee, Mrs. A. S. Long, Mrs. John R. Long, Mrs. Charles W. Lord, Miss McCandlish, Miss M. M. Manly, Mrs. Cleveland P. Manning, Mrs. H. C. Matthews, Mrs. Winfield Peters, Mrs. John C. Rose, Miss Florence P. Sadtler, Mrs. Edward C. Sandell, Mrs. Samuel D. Schmucker, Mrs. Kirby Smith, Mrs. Ellen W. Stabler, Mrs. Walter Swindell, Mrs. G. Lane Tanevhill, Mrs. Calvin F. Troupe, Mrs. Philemon H. Tuck, Mrs. Sidney Turner, Mrs. Charles E. Waves, Miss Augusta Weber, Mrs. Everett P. Wheeler, Mrs. C. S. Wight, Mrs. G. H. Williams.

MASSACHUSETTS: Arthur H. Brooks, Richard Henry Dana, Sinclair Kennedy, G. V. S. Michaelis, James J. Myers, Samuel Y. Nash, William Simes, James P. Tolman, W. W. Vaughan, Morrill Wyman, Jr.

WOMEN'S AUXILIARY OF MASSACHUSETTS: Miss Frances G. Curtis, Mrs. Caroline H. Dall, Miss Marian C. Nichols, Mrs. G. H. Parker, Miss N. P. H. Robbins, Mrs. Alexander Sedgwick.

NEW YORK: Elbert F. Baldwin, Silas W. Burt, Joseph P. Cotton, Jr., A. S. Frissell, R. W. Gilder, John M. Gitterman, Elliot H. Goodwin, William G. Low, Arthur

A. Marsters, Samuel H. Ordway, George Haven Putnam, Albert de Roode, Nelson S. Spencer, Robert G. Valentine and Everett P. Wheeler.

WOMEN'S AUXILIARY OF NEW YORK: Mrs. Stephen Loines.

Pennsylvania: B. W. Beesley, Mr. and Mrs. Geo. Burnham, Jr., Miss Mary A. Burnham, Mr. and Mrs. Francis R. Cope, Jr., Neville B. Craig, Lewis Emery, Jr., Wm. H. Futrell, Robert D. Jenks, Dr. and Mrs. Louis J. Lautenbach, James MacAlister, Caleb J. Milne, Henry C. Niles. Mrs. Imogen B. Oakley, Mr. and Mrs. Charles Richardson, Professor L. S. Rowe, William Henry Sutton, Mr. and Mrs. Clinton Rogers Woodruff.

Wisconsin: John A. Butler.

In response to invitations issued by the League to municipal reform organizations, and to other bodies interested in the reform of the civil service, delegates were present from a number of such organizations, as follows:

ARUNDELL GOOD GOVERNMENT CLUB: Mrs. Charles J. Bonaparte, Mrs. B. W. Corkran, Mrs. John T. King.

BALTIMORE REFORM LEAGUE: John P. Ammidon, B. N. Baker, Charles J. Bonaparte, Olin Bryan, A. R. Cathcart, William B. Graves, Dr. Richard F. Grundy, Thomas W. Jenkins, William Reynolds, Day Allen Willey.

CAMBRIDGE, MD., WOMAN'S CLUB: Mrs. T. S. Pattison.

CITY CLUB OF NEW YORK: Joseph P. Cotton, Jr., A. S. Frissell, R. W. Gilder, Elliot H. Goodwin, George Haven Putnam, Nelson S. Spencer, Everett P. Wheeler.

CIVIC CLUB OF PHILADELPHIA: Mrs. Imogen B. Oakley, Mrs. Charles Richardson, Mrs. Clinton Rogers Woodruff.

THE COMMERCIAL CLUB, St. PAUL, MINN.: Hon. Henry A. Castle.

DETROIT MUNICIPAL LEAGUE: Hon. Alfred Lucking, Arthur D. Maguire.

JACKSONVILLE, FLA., BOARD OF TRADE: D. G. Ambler.

LAWRENCE HOUSE, BALTIMORE: Miss Jeanne Cassard, Miss Alice E. Robbins.

LEND-A-HAND CLUB OF EARLEIGH HEIGHTS-ON-SEVERN: Mrs. H. B. Gantt, Mrs. Tilghman B. Marden, Mrs. S. C. Pennington, Miss M. W. F. Speers.

Los Angeles Chamber of Commerce: Hon. James McLachlan.

MASSACHUSETTS REFORM CLUB: Richard Henry Dana, Samuel Y. Nash, W. W. Vaughan.

MORRISTOWN SOCIETY FOR POLITICAL INQUIRY: Augustus L. Revere, Norman Fox, D. D.

MUNICIPAL ART SOCIETY, BALTIMORE: Walter W. Abell, John E. Semmes, W. W. Spence, Jr., De Courcy W. Thom.

MUNICIPAL LEAGUE, PHILADELPHIA: George Burnham, Jr., Dr. Louis J. Lautenbach, Charles Richardson, Clinton Rogers Woodruff.

NEW YORK STATE FEDERATION OF WOMEN'S CLUBS: Mrs. Stephen Loines.

THE NORTH CAPITOL AND ECKINGTON CITIZENS' ASSOCIATION: Abram R. Serven.

REFORM CLUB, NEW YORK: Hon. Everett P. Wheeler.

INVITED GUESTS: Hon John C. Black, Hon. Theodore Burton, Hon. W. M. Collier, Hon. A. W. Cooley, John T. Doyle, James T. Dubois, Frank M. Kiggins, Rev. D. J. O'Connell, Hon. Henry L. West.

GUESTS OF DELEGATES: Lloyd G. Corkran, Mrs. A. W. Cooley, Mrs. John T. Doyle, Mrs. J. M. Gitterman, Mrs. Richard F. Grundy, Miss L. P. Huston, Mrs. Carrie E. Kent, Mrs. Louis J. Lautenbach, Mrs. H. J. Milligan, Mrs. James E. Nesmith, Mrs. S. H. Ordway, Mrs. Henry T. Rainey, Miss M. R. Richardson, Miss Lucy A. Stephenson, Mr. E. K. Summerwell, Mrs. Day Allen Willey.

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MEETINGS OF THE LEAGUE.

THE headquarters of the League during the period of the meeting were at the New Willard Hotel, corner of Pennsylvania Avenue and Fourteenth and F Streets. The proceedings at the several general sessions of the League, commencing the afternoon of December 8, were as follows:

FIRST SESSION.

NEW WILLARD HOTEL,

THURSDAY AFTERNOON, DECEMBER 8.

THE League convened at 2.45 P. M., the President, Dr. Daniel C. Gilman, in the chair.

The minutes of the last annual meeting having been printed and distributed, the reading of the same was omitted.

The President introduced the Hon. Henry B. F. Macfarland, President of the Board of Commissioners for the District of Columbia, who delivered an address of welcome. ¹

Following this address, Mrs. Imogen B. Oakley of Philadelphia, read a report from the Civil Service Reform Committee of the General Federation of Women's Clubs.²

The report of the Women's Auxiliary to the Civil Service Reform Association of Maryland, was read by Mrs. Samuel D. Schmucker:

The Women's Auxiliary of the Maryland Civil Service Reform Association was formed in February, 1902. Its aim is "to co-operate with the Maryland Association

in its efforts to secure the establishment of a system of appointment and promotion in the civil service—founded upon the principle that public office is a public trust, and that admission to the civil service should depend upon proven fitness-and to advocate all other appropriate measures for securing integrity, intelligence, efficiency, good order and due discipline in the civil service of the Commonwealth and Nation."

The Auxiliary numbers 230 members. Three only of our committees were able to carry on the work of the year, owing to the fire of February last—the Prize Committee, Schools Committee and Committee for the Distribution of Literature.

Prizes of money were offered to the children in the high schools in Maryland, during the present Spring, for the best essay on some subject relating to civil service reform. The subjects given were:

"The Relation of Civil Service Reform to Postmasters. How are the Postmasters in your own Town Appointed?" or "Civil Service Examinations, and What They Are."

The papers submitted were examined by a committee composed of Hon. Charles J. Bonaparte, Miss Iulia Rogers and Miss Scudder.

Some two thousand pamphlets have been distributed during the year. The most encouraging result has been the request of Professor Thomas of the Woman's College, Baltimore, for three hundred copies for his class work.

It is the purpose of the Auxiliary to continue its efforts in reaching the teachers and scholars of the High Schools, as well as organized women-workers

throughout the State.

It is hoped that interest is already sufficiently aroused to induce each organization during the present year to hold meetings as well as to have study classes for their own members, thereby educating public opinion on the subject of civil service reform, and through them forming new and efficient agencies for distributing educational literature on the subject.

In response to such appeals from the Auxiliary, invitations have been accepted by one-half of the State Federated Clubs of Maryland to send representatives to be present at the present National Meeting.

In conclusion, the Secretary can report an increasing interest and responsiveness of the general public of Mary'and, in spite of the interruption to the organized work of the Auxiliary during the past year.

The report of the Women's Auxiliary to the Civil Service Reform Association of Massachusetts, was read by Miss Marian C. Nichols:

Our first word to-day must be of Mrs. Whitman, so far our only President, whose death last summer brought such manifold loss. We remember with gratitude her enthusiasm and wisdom, her patience and readiness to labor over every detail, her gentleness and courtesy; and we hold before us her inspiring example of faith and courage.

Since our last report to the National League we have added one new branch in Waltham, and have formed our Boston members into a separate Branch, so that now almost all our 1050 members come under the supervision of one of our eight Branches. Our State Executive Committee is thus relieved of much responsibility, and can devote more energy to work outside Massachusetts.

Our Branches continue to stimulate local interest in the merit system by enlarging their membership, holding meetings and working in the schools. Realizing that their own members as well as the school children should have a better and deeper understanding of the subject, several Branches have formed study classes. The Worcester Branch has published an excellent "Outline for the Study of Civil Service Reform" prepared by one of its members, Mrs. B. T. Rice. This outline, which gives definite suggestions for a dozen meetings, was first used with great success in a large class in Worcester and has since been adopted by several classes in Brookline, by the Lynn Branch, and by some outside clubs. In Brookline

the Superintendent of Schools felt that the merit system was too far advanced a subject to be introduced into the elementary schools, but reversed his opinion after a most interesting and stimulating talk was given to the grammar school children by Mr. George McAneny. The school children have been offered prizes for essays on civil service reform by the Brookline, Cambridge, Lynn and Worcester Branches.

The College Prize offered a year ago by our State Executive Committee was awarded Mr. Beverly W. Bond, Jr., graduate student of Johns Hopkins University, for his scholarly essay on "The Relation of Civil Service Reform to the Appointment of Teachers in the Public Schools." This essay has since been published by us. Our only other new publication this year is a pamphlet called "Civil Service Reform as Demanded by Presidents and Statesmen," a series of quotations compiled chiefly from the Reports of the United States Civil Service Commission. We prepared this pamphlet especially to mark our interest in the civil service reform session at the Biennial Meeting of the General Federation of Women's Clubs in St. Louis, and we sent a large supply for distribution there.

Our school work is still our chief accomplishment. The encouraging and appreciative letters which we are constantly receiving from teachers and professors, high school principals and college presidents assure us of the real educational value of this work. We have now offered our pamphlets directly to almost all the normal schools and colleges in the country, besides sending our circular letter to a great number of high schools. Last winter the Secretary of the State Board of Education of Connecticut kindly, at his own suggestion, sent out our circular letter with his endorsement to the high schools in his State. During the past year 28,000 copies of our Cary and Woodruff pamphlets have been distributed in our school work, and we have received applications from over 400 high schools, normal schools and colleges. The adoption of the pamphlets by one thousand schools and colleges means that one out of every nine of our secondary schools and colleges has

already recognized their usefulness.

Of great help in the distribution of our pamphlets have been the notices published in the Outlook, the Nation and other papers. Requests for literature came not only from all over the United States but from Germany and Japan. We are now asking 125 educational journals to insert the notice of our offer of free

pamphlets.

The Federation Bulletin, the official organ of the Massachusetts State Federation of Women's Clubs, has proved a most helpful and efficient means for spreading abroad knowledge of the merit system. Almost every number has contained an article on civil service reform, contributed either by ourselves or the Federation Civil Service Committee. This Committee labors so steadily and wisely among the Women's Clubs of Massachusetts that our chief work for them consists in furnishing literature and in helping to provide speakers for their meetings. The demand for both is constantly increasing. Those who have most frequently given their services in addressing the clubs are Mr. Dana, Mr. Vaughan, Miss Georgie A. Bacon, Mrs. R. C. Cabot, and our Assistant Secretary, Miss Marian C. Nichols.

When we worked with the Massachusetts Association last winter in opposing the Spanish War Veterans' Preference Bill, the clubs as well as our members gave a ready response and we secured 1760 signatures in pro-

test to this measure.

We are trying to make an investigation of the County jails of Massachusetts as a preliminary step in the campaign of the Massachusetts Association to secure the inclusion of county offices under the State civil service law. We have so far received reports on seven of these jails; our Cambridge, Lowell, Salem and Worcester Branches, and individual members have undertaken this work.

We devoted the summer principally to the endeavor to create sympathetic public interest all over the country in the work done in the newly established Districts of the National Civil Service Commission, so that people should be awake to this work and be helpful to it, not indifferent or antagonistic. One hundred and fifty persons were appealed to for advice as to the effective scattering of our seed, and as a result over 6,000 pamphlets have been sent out, chiefly to California, Indian Territory, Illinois, Kansas, Maine, Michigan, Minnesota, Missouri, Oklahoma, Oregon, Texas, Virginia and Wisconsin. The one hundred and fifty original names were supplied by Miss Perkins of Concord, who puts into all her work the very noblest spirit, and who originated the movement in favor of civil service reform in the Women's Clubs, to which movement, now rapidly growing in impetus we all look with so much hope.

Much of our work is uncertain in value, much is inevitably fruitless, but part we trust does go to increase the results obtained by the efforts of the National League and of all associations striving for honest government, and when we are weary we must listen to George Washington saying "the preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps as finally, staked on the experiment entrusted to the hands of the American people."

The report of the Women's Auxiliary to the Civil Service Reform Association of New York, was read by Mrs. Mary H. Loines:

The work of the Women's Auxiliary to the Civil Service Reform Association of New York during the past year can be summarized briefly as follows: The New York Auxiliary has made its usual donations of \$50 and \$500, respectively, to the League and the New York Association, and has maintained an annual subscription to Good Government for all its members. It has sent speakers to 27 civil service reform meetings in New York State; it has opened its 7th annual prize competition to members of the General Federation of Women's Clubs; it has distributed to individuals, clubs, libraries and schools between 12,000 and 13,000 pam-

phlets on civil service reform and related subjects; and has conducted a steadily increasing miscellaneous cor-

respondence.

The details of the above work are as follows: In September, 1903, the Auxiliary offered to send a speaker at its own expense to any club in the New York State Federation that would agree to devote at least one meeting to the merit system. The offer was made to about 150 clubs and its immediate result was an active correspondence between 53 clubs and the Auxiliary. In some cases pamphlets and plans of study were sent, and in others meetings were planned. The task of finding speakers was not altogether an easy one. Very often we had to invite five or six speakers before one could be found who was able to do us the service. By a persistence that must often have been burdensome to some of our friends, all requests were finally provided for and speakers were sent to 27 meetings in Belmont, Brooklyn, Buffalo, Central Valley, Chautaugua, Floral Park, Flushing, Granville, Kingston, Little Falls, Morrisville, Mt. Vernon, New York City, Rochester, Seneca Falls, Syracuse, Warsaw, Wellsville and Wyoming.

The Auxiliary wishes to take this opportunity of expressing again its deep appreciation of the assistance that it has received in this work from Messrs. Elbridge L. Adams and Henry Selden Bacon of Rochester, Messrs. Frederic Almy, Charles B. Wheeler, John Lord O'Brian, and Mrs. Owen D. Evans, of Buffalo, and Messrs. Elliot H. Goodwin, Henry G. Chapman, George

McAneny and Nelson S. Spencer of New York.

That these meetings have been thoroughly effective in spreading a knowledge of the merit system, and in arousing a public interest in the subject, is a fact that cannot be doubted, and the increase in the size of the audiences has been most gratifying. A year ago, on November 27, 1903, we began with a gathering of 20 only; on October 26, 1904, the audience was 150. In this work of awaking interest of New York State Clubs the Auxiliary has at all times had the help and co-opera-

tion of the Civil Service Reform Committee of the State Federation.

The Clubs, too, seem to have been well satisfied with our meetings and to have gained confidence in our power to help them study the merit system, for requests for speakers are still coming from various directions, and meetings are being planned not only in New York, but in other States.

Our 7th annual competition was opened last May to members of the General Federation of Women's Clubs. Seven prizes (one of \$50, one of \$40 and five of \$5 each) are offered for seven essays on "The Merit System as a Business Factor in Public Administration." Messrs. Carl Schurz of New York, Edward Cary of Brooklyn, and Henry Farnam of New Haven, have kindly consented to act as judges. Every effort has been made to give the announcements of the competition the widest possible circulation. Since, however, the competition does not close until December 31, we cannot predict at this date to what extent it will be successful.

Of the 12,600 pamphlets which the Auxiliary has distributed during the past year, some were in May sent to St. Louis for distribution at the biennial meeting of the General Federation of Women's Clubs, and a very large proportion were sent to libraries throughout the country in order to increase the facilities for club women who may wish to take up a study of the merit system. A large number were sent to New York State High Schools. In September, 1904, the Auxiliary renewed the offer which it made to these schools two years ago to send pamphlets, free of charge, for class-room use. Five hundred letters were sent out, and thus far we have had 94 answers asking for an aggregate of 2,104 pamphlets.

The Auxiliary now has in preparation a pamphlet on the merit system which is to be adapted for use in the grammar school, which, being the only school attended by a large proportion of our citizens, presents a really great field in which to sow the seeds for the principles of good government.

The general correspondence of the Auxiliary is increasing steadily. We are constantly being called upon by the Civil Service Reform Committees of the various State Federations and branches of the Association of Collegiate Alumnae, especially those in New Jersey, Pennsylvania and Michigan, for suggestions about work and for pamphlets. The Auxiliary can therefore report with pleasure to the League a steady and in many ways a marked progress in its share of the educational work for civil service reform.

Reports from the Civil Service Reform Associations composing the League were then read, as follows:

Mr. Ansley Wilcox, for the Buffalo Association:

The quite full report which we presented last year at the League meeting still represents the condition of things existing in Buffalo and Erie County. There is not much to add to it. Our local condition, both in the city and county service, is theoretically one of achieved success in working out and applying the merit system. The rules and classifications are in the main good. They certainly represent an enormous advance from the old condition of things when the spoils system was rampant. There has been no substantial change during the past year.

Yet there are practical difficulties and problems constantly arising, and failures to carry out the spirit of the merit system in matters of detail, which give our association much to think about and plenty of work to do, and sometimes lead to acute differences of opinion inside and outside of our body. It is interesting and encouraging to note that such differences when they arise are almost always based upon adherence to the merit system in theory. They result only from divergent views as to methods of applying its principles. There is no longer in our community any open advocacy of the distribution of public offices as spoils.

Our City Commission has had a series of struggles to keep up with its work, lacking the assistance of a proper force of employees, such as regular and special

examiners. It has been handicapped by frequent changes in its membership, and several new members have come in without previous familiarity with either the principles or the practice of the merit system, but some of them have been gradually educated up to the standard of pretty good civil service reformers. A civil service commission should not be regarded as a school for the education of its members in civil service reform. It should hardly be necessary to point out this fact, but our mayor has been acting upon the theory that any fairly intelligent citizen was capable of becoming a civil service commissioner, and that it was not amiss to have a sprinkling of members who had been spoils-seeking politicians and practical opponents of the merit system to represent their views on this commission, working in harness with others who are earnest and ardent upholders of the merit system. That this has produced friction and sometimes open discord was inevitable. coming to the conclusion in Buffalo that as water cannot rise higher than its source, so the civil service of a city, whatever the law and rules may be, cannot be much better than the ideas of the mayor who appoints and removes the commissioners to enforce the law and rules. For the excellence or defects of this branch of the service, the mayor is absolutely responsible under our New York State law.

Further details of our work in Buffalo are not of sufficient importance to be recorded in this short report.

Mr. G. V. S. Michaelis, for the Cambridge Association:

The Cambridge Civil Service Association numbers one hundred and six members, and the interest in civil service reform which has always characterized it is still maintained. It has followed the different bills of each year in the Legislature which affected civil service laws. It assisted in preventing the passage of a number of bills, during the last session, detrimental to civil service reform, its members having appeared at all hearings on bills bearing on the civil service law. It has recognized its oppor-

tunity to interest the students of Harvard University and has made efforts to enroll as many young men as possible.

It appreciates the value of the co-operation of the Women's Auxiliary to the Massachusetts Association in promoting the work of civil service reform. The Massachusetts Women's Auxiliary was formed in 1901 and numbers 1,047 members, with branches in Cambridge, Salem, Lynn, Worcester, Lowell and Brookline.

The Association is in a prosperous and healthy state, and can be relied on for effective work when opportunity and necessity arise.

Mr. Max B. May, for the Cincinnati Association:

The work of the Cincinnati Association can be considered in two aspects, first that relating to the Federal law; second, the effort in behalf of a State and Municipal civil service law. The Association has watched carefully the administration of the Federal offices at Cincinnati, and has frequently called the attention of the proper authorities to violations; it will continue its vigilance in this respect. The Association during the year expects to renew its effort to secure the adoption of a State law and an amendment of the numicipal code, extending the civil service provisions which apply to the firemen and policemen to other departments.

Professor Henry W. Farnam, for the Connecticut Association:

Our year began with a dinner which was successful in stimulating interest in the Association, and gave us the benefit of a valuable address by Mr. Everett P. Wheeler of New York. The dinner also brought out a carefully prepared speech from Mr. Sullivan, the Mayor of Hartford, which was significant in that it presented a strong argument for civil service reform from the point of view of the trade unionist and an advocate of municipal ownership, a point of view not often emphasized at our meetings.

The general calm and quiet of our Association has been ruffled during the year by a controversy with the Civil Service Board and Mayor of New Haven. This Board, which was established under the charter of 1897 and began its work in 1898, had down to the present year performed its duties in conformity with the spirit of a somewhat easy going law, and with considerable success. Upon the expiration of the term of office of Mr. George B. Martin, the chairman of the Board, a new member was appointed by the Mayor and a new chairman chosen by the Board. The office of secretary, which was at the time filled by a member of the Board, becoming vacant through the expiration of the term, the new member of the Board moved to appoint as secretary a man known as an active ward worker in the Republican party, and an employee of one of the most powerful local leaders.

The executive committee of the Civil Service Reform Association of Connecticut at once called the attention of the Board to what seemed to be a violation of the charter in appointing a secretary without conducting a civil service examination. Though the Board did not agree with this view they were forced to comply with it by an opinion which they secured from the corporation counsel. An examination was tardily held, and, being very easy, was passed by the entire number of applicants, five in all. Of these the politician received the lowest rating, but was, nevertheless, permanently appointed secretary of the Board.

Our Association then brought the matter to the attention of the Mayor, and were able to prove not only disregard of the letter of the charter and of the rules on the part of the Board, but also illiteracy and incompetency on the part of the secretary, and a laxity amounting to gross unfairness in the conduct of the examinations. On one occasion, when an examination was held to fill the position of police matron, those who applied at the time specified in the advertisement were told that the examination would be postponed for a week, the reason being that the woman who was slated by the politicians for the post—and who ultimately received it—could not attend on that day.

The evils of the laxity which has prevailed in the execution of the civil service provisions were brought forci-

bly to the attention of the New Haven people during the spring and summer. A series of assaults upon women having taken place in New Haven, and little effective work having been done by the police department in following up the cases, public opinion became so aroused that the Mayor was forced to appoint an impartial committee of citizens to investigate the affairs of the department. This committee held many meetings and examined many witnesses, and in the report signed by a majority of them showed clearly that the police commissioners, while conforming to the letter of the law in appointing only those to positions on the force who had passed an examination, in point of fact violated its spirit by paying no attention to their relative grades, and treated the examination simply as a pass examination, though the charter describes it as competitive, and they did not hesitate to strongly recommend a change in this practice.

Although our committee has addressed several communications to the Mayor in the course of the summer and fall on this subject, none of its charges have been disproved or even called in question, and the Mayor is evidently under the impression that the easiest way to deal with the whole subject is to ignore it, and trust to the political machine, which is a strong one, to see him through.

The increased interest in the merit system is shown by the fact that the committee of the Hartford common council, which was engaged during the summer in drafting a new charter for that city, invited the president of our Association to appear before them in advocacy of a civil service section, and actually added such a section to their draft of a charter. The rejection of the charter by a light popular vote this fall seems to indicate a general apathy regarding civic affairs in Hartford, rather than any objection to the merit system. Other cities, such as Waterbury and Norwich, have been considering the merit system, and, while the movement is slow, we believe from these indications that it is progressing.

Mr. William Reynolds, for the Maryland Association: The Maryland Association for several years past has

been discharging the function of what is termed in military parlance "an army of observation," inasmuch as during that time there had appeared in sight no objective against which actively aggressive operations could be directed with any reasonable prospect of success. general civil service law no On statute book, but the merit system of appointment and promotion has been introduced into the police department in Baltimore by a law passed in 1900, into the public schools of Baltimore City by the new charter which went into effect in that year, and into the fire department of Baltimore City by ordinance of the Mayor and City Council about the same time. of the members of the legislature of 1902 or 1904 disclosed any desire to extend the area or promote the efficiency of the merit system that it would have been absolutely futile to agitate for any general legislation in this direction during these sessions. It was therefore deemed wiser to "stand pat" in order to maintain the positions already secured. While no formidable attempt has been made by the enemy to carry these positions by direct assault, there have been numerous efforts to undermine and outflank them, and these have demanded constant vigilance on the part of the Association to successfully meet and repel them. For instance, the Police Law requires the Examiners to prepare, by competitive examination, graded lists of those found qualified for appointment or promotion on the force, and to make nominations therefrom to the Commissioners for appointment in the order in which the names appear upon the lists, but by collusion between the Commissioners and the Examiners, the latter, in order to evade the clear intent of the law, whenever a single vacancy occurred, always nominated the entire eligible list so as to enable the Commissioners to pick and choose therefrom for appointment any one they might select, irrespective of his grade, and thus wholly eliminate the competitive feature of the law. This course was justified by the Court of Appeals as not unlawful, and repeated efforts to remedy the mischief by amending the law were unsuccessful, but the

new Board of Police Commissioners appointed by the Governor has, since it took office in May last, turned over a new leaf and faithfully carried out the spirit of the law by making all promotions in and appointments to the force from the graded lists in the order in which

the candidates appear thereon.

Earnest efforts were made both during the Legislature of 1902 and that of 1904 to abolish the present efficient management of the public schools by a board of nine competent commissioners appointed by the Mayor from the city at large, for a term of six years, but so that the terms of three of them shall expire every second year, and to go back to the old management by a board of twenty-four commissioners, one chosen from each ward, with the obvious intent of letting each commissioner control the patronage of all appointments from his own ward. These efforts, which had the hearty sympathy of the spoils politicians of both parties, were hotly contested and overwhelmingly defeated in both Legislatures. In these contests this Association bore its full share of the work of the campaigns, but deemed it advisable not to make itself or its officers unduly prominent at the public hearings before the legislative committees which were granted at its request, having learned by experience that public officials are, as a rule, disposed to resent what they regard as being instructed in their duties by persons of the class whose friends consider them to be experts, but whose critics denounce them as doctrinaires. We find that, generally, much more influence can be exerted by those who appeal to them to remedy the evils of some special condition actually existing at the moment, than by those whom they rather regard as the advocates of a general theory which they desire to see accepted. We therefore, upon such occasions, endeavor, as far as possible, to have most of the speeches made by gentlemen who are not members of our Association, and we find in so doing two advantages: First, that a better effect is produced on those to whom these speeches are addressed, and, secondly, that whenever a man has once made a public speech in favor of

civil service reform he almost invariably follows it up by shortly afterward becoming a member of our Association.

Mr. W. W. Vaughan, for the Massachusetts Association:

Massachusetts has had the usual contest in the legislature over the Spanish Veteran Preference bill and sundry other attacks upon the merit system. The Spanish Veteran bill was defeated in the house on the third reading. The margin was very narrow, but it was a greater victory than we have achieved in some other years. Most of the other attacks on the merit system took the guise of protecting it, being provisions to "prevent removal from office" except on charges filed and after formal hearing. Many of these bills provided for a hearing before a tribunal practically amounting to a court trial. Believing that all such formal trials would destroy the discipline of the service, the Civil Service Reform Association opposed the most extreme of these bills, and succeeded in having others brought down to less dangerous terms. There was, at one time, a hope of a compromise, under which the bills might all have heen brought substantially to the basis of the Federal rule, and required only specification of the cause before removal, and a right to be heard before the removing officer. Unfortunately, this fell through, and the chief bill was pressed in a draft requiring a formal and public hearing at which counsel might be employed. It was passed and signed by the Governor in this shape, notwithstanding our protest. The result has been that it has already made mischief and injured discipline in various departments, the heads of which find it hard to get rid of really undesirable employees.

It is hoped that an effort will be made this winter to

repeal or modify this statute.

The State has received a painful surprise in finding the two Curleys (who were convicted of impersonation and fraud under the civil service law and finally sentenced to jail), were nevertheless triumphantly nominated and elected, one to the legislature, and the other to the board of aldermen. This might seem to arise from pure hostility to the civil service law, but it is more likely that it is due, partly to the general opposition of certain elements to all law, and partly to the "personal feeling" which is so strong in ward politics, and which rates a man's "standing by his friends" far above any mere ideal of duty to the State or to the law.

On motion, the order of reports was then suspended to allow the reading of a paper by the Hon. Clinton Rogers Woodruff of Philadelphia.

Dr. Gilman withdrawing, Hon. Charles J. Bonaparte

took the chair.

Mr. Woodruff then read a paper on the "Extension of the Competitive Service." 1

Mr. Henry Haywood Glassie then reported for the Association of the District of Columbia:

Perhaps I may be permitted, on behalf of the local Association, to say a word in regard to that extension of the merit system which is nearest their hearts. I mean, of course, its extension to the local offices in the District of Columbia. You have heard from Commissioner Mac-Farland how he and his associates in the municipal government have been able to set up a sort of de facto merit system, but the members of the local Association, not unnaturally, feel that they ought not to rest content with what has already been accomplished. There are two serious drawbacks to the system thus established. First, the obvious one that it is after all merely a de facto system. It necessarily lacks the stability and permanence which only the sanction of the law can give. The de facto system must be converted into one de jure. The second drawback is one perhaps less apparent. It is that the system at best is only partial. It does not extend far enough. We have, in the District of Columbia, a number of offices, the functions of which are purely local, but the appointees to which are federal appointees—the Register of Wills and the Recorder of Deeds, for example, each of whom is the head of a considerable force of employees.

¹ Printed in full at page 67.

The functions of the Register of Wills and the Recorder of Deeds in the District of Columbia do not differ in any particular from those of similar officers in the city and county governments with which you are familiar. would not occur to you that the federal government was very deeply concerned with recording the transfers of town lots in the City of Washington, or with the registration of wills made by her inhabitants. Nevertheless both of these offices are deemed to be in some sense federal offices and the incumbents are nominated by the President and confirmed by the Senate. One of these offices has been for a long time regarded as the established reward for leadership among a class of citizens whose race is supposed to be a guaranty of their fidelity to a certain party, and both of them are confessedly political. Neither of them comes within the beneficent influence of the system established by the Commissioners of the District.

Now, if you ask why it is that, in spite of the recommendation of the President, the earnest appeals of the Commissioners, the steady support of the board of trade and other local associations, nothing has been done here for civil service reform, the answer will be found, I think, in the anomalous legal situation of the District of Colum-

bia to which I have just alluded.

The District of Columbia is like one of those debts spoken of by Anthony Hope as being too small to mention but too large to pay. It is not federal enough to come within the operation of the federal civil service law, yet it is too federal to have a civil service law of its own. more ways than one Congress is both the municipal council and the legislature of the District. Washington, as you know, has been described as a capital superimposed upon a village, and it is not always easy for the village to assert itself against the capital. For example, upon the pretext that the federal government pays one-half of the expenses of the District (which it does simply in lieu of taxation upon its property here) a rule has come to be recognized that one-half of our judgeships and other local offices belong to the country at large, and it may be remarked that the country at large, when it has assured itself of its own half, not infrequently succeeds in getting

a part of the other as well.

You will feel the difficulty under which we labor. In the struggle for reform before your legislatures and city councils, you are dealing upon terms of equality. They are your legislatures and your councils. But we are dealing upon terms of inequality. Civil service reform can never be achieved by the people of the District of Columbia fighting alone. It can be achieved only when they are supported by the country at large. Without your cooperation the local Association is practically powerless, and my excuse for trespassing upon your time is to urge upon you the necessity of bringing to bear upon the members of the national legislature the pressure of a general demand for this reform—not a demand on the part of the citizens of the District of Columbia only, but a demand on the part of the constituencies which those members really represent.

SECOND SESSION.

NEW WILLARD HOTEL,

THURSDAY EVENING, DECEMBER 8.

A^T 8.15 P. M. the League reconvened at the New Willard Hotel, the President, Dr. Gilman in the chair. Hon. Charles J. Bonaparte, Chairman of the Council read the Annual Report of the Council. 1

Dr. Daniel C. Gilman, President of the League, then delivered an address.² In the absence of the Hon. Carl Schurz, owing to illness, his address on "The Present State of Civil Service Reform" was read by Elliot H. Goodwin.³ The Hon. William Dudley Foulke of Indiana, then addressed the meeting.⁴

Printed in full 1 at page 50; 2 at page 75; 3 at page 84.

⁴ An abstract of Mr. Foulke's speech is printed at page 94.

NEW WILLARD HOTEL,

FRIDAY MORNING, DECEMBER 9.

THE League reconvened at 10 A. M. in the New Willard Hotel, Dr. Gilman presiding.

The reading of the reports of the Civil Service Reform Associations composing the League was continued, as follows:

Mr. George Burnham, Jr., for the Pennsylvania Association:

The past year has been an unusually active one for the Pennsylvania Association. At the time of the last annual meeting of the League, the United States Civil Service Commission was investigating charges framed by the Pennsylvania Association that the Postmaster at Philadelphia, in making assignments of routes, etc., was discriminating among the letter carriers for political reasons. The evidence secured by the examination of witnesses seemed to clearly establish the facts alleged by the Association. The Commission presented a report of the case to the President, who ordered that the carriers who had been discriminated against should be immediately restored to their former routes and impressed vigorously upon the Postmaster the importance of observing the civil service law.

During the past summer the Association filed further charges against the Philadelphia Postmaster to the effect that in making appointments from the eligible registers he was choosing only those men who had secured the endorsement of certain ward or division leaders who claimed to be the representatives of the Republican organization. The facts of this case were presented to the President by the Commission, who ordered that all those carriers whose names had been rejected for political reasons should be restored to the eligible register. The President also severely reprimanded the Postmaster for again violating the civil service law and made it

clear that in the future political considerations or endorsements were not to be recognized in making ap-

pointments to the Post Office.

In October the Association received a complaint that one Jacob G. Bunn, a finance clerk in the Philadelphia Post Office, had been concerned in levying a political assessment upon federal employees who resided in the twenty-eighth ward in the city of Philadelphia. Formal charges were preferred against him and, after an extensive investigation by Commissioner Cooley, during which Bunn himself admitted that he had received money from federal employees for political purposes, the case was referred to the President by the Civil Service Commis-The President ordered the immediate dismissal of Mr. Bunn. This vigorous action of the President. which is especially to be commended, has done much to establish the belief in Philadelphia that federal employees, at least, cannot be compelled to pay contributions for political pupposes.

In several cases the Association has been successful in limiting the political activity of federal office-holders, although in this matter the results have been far from

satisfactory.

As is well known, there is no State civil service law in the Commonwealth of Pennsylvania. The Association has prepared a draft of a civil service act applicable to the State and its municipalities which will be presented to the next Legislature. A vigorous campaign in behalf of this bill will be undertaken if the necessary funds can be secured.

In the city of Philadelphia and in the cities of Pittsburg, Scranton and Allegheny local civil service laws are already in existence, but they are so badly framed that it is impossible to secure their adequate enforcement. In Philadelphia, as the result of continued correspondence with the Mayor, the Association has been able to secure a certain amount of publicity with regard to the examinations.

It is proposed by the Association during the coming winter to make an especial effort to interest commercial organizations in the question of civil service reform. As a result of recent meetings the Boards of Trade of Scranton and Reading have already passed strong resolutions commending the merit system and urging the passage of a State civil service act. The Board of Directors of the Pittsburg Chamber of Commerce has taken similar action. Meetings at various colleges are also being arranged in order to impress upon the young men and women of the State the importance of civil service reform as a step towards improving the present political conditions.

The membership of the Association is being steadily increased. A decided improvement in the interest of the public in the matter of civil service reform can be noted in Pennsylvania. The Association hopes to be able to report even more substantial progress at the next meeting of the League.

Mr. Elliot H Goodwin, for the New York Association:

The year past has been one of great activity for the New York Association. It can report not only an increase in the number of its members, but also a stronger influence on public opinion and greater facilities for carrying out the purposes for which it exists. Those to whom the administration of the law has been intrusted have been sometimes favorable, but generally indifferent and not infrequently hostile to the merit system, but comparing conditions as they existed in the public service twenty years ago with those existing to-day, no one can fail to recognize the vast improvement. The Association therefore feels that it has reason to be gratified at the success of its efforts, and backed by a strong and increasing public sentiment in favor of the merit system, founded to a large degree on the results already accomplished, looks forward to still greater activity and a larger sphere of influence and usefulness.

There has been no marked change in the administration of the law in the State Service or the policy of the State Commmission. The real abuse now existing in this service is the unwarrantable number of positions exempted from competitive examination and the use of these positions for purposes of political patronage. The result is demoralizing upon the entire classified service, and as persons holding high competitive positions can not but fear that attempts will be made to induce the State Commission to exempt their positions, they find it necessary to curry favor with influential politicians or to neglect their official duties for political work. Until the number of exempt positions is radically reduced and the Commission is willing to forego the exercise of its discretion in individual cases and act upon set rules when requests for exemptions are made, the civil service law can not fully accomplish the results for which it was established, nor can the system command the confidence from the candidates for positions and the public generally which is essential to its successful working.

During the past year every bill introduced in the State legislature was examined at the office of the Association and in all cases of bills which were considered to be dangerous to the merit system, briefs were filed with appropriate committees, or hearings requested. The results of this work were most gratifying. With a very few, relatively unimportant, exceptions all the bills opposed by the Association either failed to pass the legislature or were vetoed by the Mayor or the Governor. Mayor McClellan is particularly to be commended for his vetoes on several bills which, had they become laws, would have seriously affected the service.

By far the most interesting and most important events occurring during the past year which the New York Association has to report to the League are the changes in the conditions and the outlook in regard to the merit system in New York City. Judging by experience, the Association had good reason to dread the effect upon the administration of the civil service law of the coming into power of a Tammany administration. Its fears were not allayed when it learned of the Civil Service Commission which Mayor McClellan had appointed. It was composed of four Democrats and two Republicans, no one

of whom had ever been identified with the movement for civil service reform or had been known to have any sympathy with the merit system. The man selected as President had previously been the Assistant Secretary of the Commission, in which position he had never, by his work, commanded the respect or confidence of the Association. At the time of his appointment he was an active political worker in Brooklyn, closely allied with the somewhat notorious Democratic leader and aspirant for the title of "Boss," Senator Patrick H. McCarren. What would be the attitude toward the enforcement of the law of a Commission made up in this way could be easily con-

jectured with perfect exactness.

The Low Commission had gone out of office on December 31st, 1903, after adopting and putting in force in its last weeks of power an excellent set of revised civil service rules. Ouestions as to the proper interpretation and enforcement of these rules immediately arose and the new Commission invariably took its stand in favor of the lax interpretation. At first somewhat timidly, but shortly afterwards with great boldness, requests for exemptions preferred for the purpose of securing patronage appointments, were granted and sent to the Mayor and State Commission for approval. All of these exemptions secured the approval of the Mayor. When the attempt was made to turn over to political spoils sixty positions of Deputy Tax Commissioners, who are the assessors of real and personal property in the first instance, strong objection was made not only by the Association, but also by reform and business organizations and the press. This did not deter the Municipal Commission. Mayor McClellan also gave his approval. The matter then went up to the State Commission, which, after a thorough hearing of the case, refused to give its assent.

More flagrant than in any other branch were the abuses which grew up during the administration of this Commission in the Labor Service. In certain departments a wholesale attempt was made to replace the laborers then holding positions by Tammany adherents. This attempt would not have had any success had the Commission de-

sired to secure a strict enforcement of the law and rules and to this end had used its power of witholding salaries and conducting investigations. Nothing of the kind was done; on the contrary new lists of laborers were created, the departments were permitted to lay off men without reporting the fact to the Civil Service Commission and thus to employ new men in their places. Hundreds of laborers were carried on the pay rolls without pay while new men were appointed in their places and the Commission, by its action, gave sanction to this illegal practice. Those who were in this wise deprived of their rights to employment were, with few exceptions, Republicans, or Democrats who had supported Mayor Low, while the new employees were, with few exceptions, line Democrats.

The facts in regard to this abuse in the Department of Parks, Borough of the Bronx, were presented by the Association to the Commission, with a request for investigation, on August 3d, but no attention was paid to this letter. In September another letter was sent and immediately afterwards the matter was presented to the Mayor. Mayor McClellan undertook to investigate the matter at once, and thanked the Association for bringing it to his attention. The result of his investigation was to convince him of the wrongful acts of Commissioner Schmitt, the head of the Department of Parks in the Bronx, and, further, that these acts could not have been carried out without the acquiescence or neglect of the Municipal Commission. On October 5th he took summary action by asking for the resignation of Commissioner Schmitt and all the Civil Service Commissioners. He then appointed, in accordance with the recommendation of the Association that the Civil Service Commission should be reduced to three, a new board, composed of Hon. Bird S. Coler, the former Comptroller and Democratic candidate for Governor, Hon. Alfred J. Talley, a young lawyer affiliated with Tammany Hall, and Hon. R. Ross Appleton, a Republican and a member of the Executive Committee of the Association.

The new Commission has been in office but two months and a large part of its time has necessarily been given to familiarizing itself with the duties and routine of its office. The abuses in the Labor Service were immediately put an end to and the Commission has expressed the strongest desire to bring about a strict enforcement of the law and rules and to work in harmony with the Association. Cordial relations exist to-day; every proposal made by the Association secures the earnest attention of the Commission and should the Commission prove willing, as it is hoped it will, to adopt new rules to prevent the important abuses now existing and to reorganize its office on a thoroughly businesslike plan, with no reference to politics, the outlook is favorable for an efficient and progressive administration of the civil service law in New York City, even under an administration which is avowedly partisan.

The Treasurer of the League, A. S. Frissell, then

read the annual report. 1

The Auditing Committee appointed by the Council to audit the Treasurer's report, not having completed its work, upon motion the President appointed a new committee composed of Messrs William G. Low and Nelson S. Spencer to audit the accounts and submit their report to the Council.

The Secretary reported that a paper had been received from George R. Bishop of New York, upon "The Changes in the East Indian Service." As the time did not permit of its being read the paper was, on motion,

referred to the Committee on Publication.

Mr. William G. Low presented the following resolution:

Resolved, That the visiting delegates and guests at this, the twenty-fourth annual meeting of the National Civil Service Reform League, desire to express their hearty appreciation of the cordial hospitality which they received from the Civil Service Reform Association of the District of Columbia and Hon. and Mrs. John W. Foster.

On motion, the resolution was unanimously adopted. Mr. Woodruff then reported for the Special Committee on the Civil Service in Dependencies.³ Mr. Lucius B. Swift then presented the report of the Indiana Association:

This Association has lost none of its interest or vigor, but so far as the Federal service is concerned it has had very little to do because the law and the rules are honestly observed.

The Association of late years has not held meetings. Its business is transacted by its executive committee, which is composed of men always ready to take hold of work. The system under which the Association now works is found most efficient.

In Indiana the feeling in favor of the merit system has spread until it has permeated the whole State. The State has not adopted the merit system, nor has any city or county, but in the State institutions public opinion has brought the service practically to the merit system. The danger is that some vicious governor could overthrow this practice and the Association is now contemplating a movement to get the merit system established by law. In the recent campaign both candidates repeatedly declared on the stump that, if elected, on no account would politics be allowed to enter into the management of the State institutions.

On motion, the Secretary was instructed to print in the Proceedings the reports received from Associations not represented by delegates.

From the Denver Association the following report was received:

On March 29, 1904, the electors of the city and county of Denver adopted a new charter, which had been framed by the Second Charter Convention called under the so-called Rush Bill, or Twentieth Amendment to the State Constitution. Article 7 of said Charter provided for a limited application of the merit system to the Fire and Police Departments and the Board of Public Works and Utilities. These provisions as far as they go are fairly good and where they are lacking or weak they have been strengthened by the rules adopted by the Commission. One of the worst features was the crea-

tion of a partisan Civil Service Commission to serve for two years and who were elected by the adoption of the Charter, instead of being appointed by the Mayor as is to be the case in the future. The Commission was required to prepare rules to put these provisions into effect before May 1st, and it was fortunate that Mr. Goodwin, Secretary of the National League, together with United States Commissioner Cooley arrived in Denver shortly after the adoption of the Charter. The question of rules was submitted to Mr. Goodwin, who very kindly prepared a draft which was adopted by the Commission practically as suggested by him, which has done much to remedy the deficiencies of the civil service provisions of the charter. This first Civil Service Commission of Denver has disappointed the influences which secured its selection by thus far insisting on a strict compliance with the civil service provisions of the Charter with the one exception of the section forbidding contributions of money or service for political purposes, which has not been enforced. In practice it has also been found that the appointments to fill vacancies have been made from those eligibles who are in sympathy with the political faith of the appointing power. It is next to impossible in as small a community as Denver to prevent knowledge of the political beliefs of candidates from being known. It may be that it would be better under such conditions that but one eligible instead of three should be certified to fill a vacancy so that the appointing power would have no choice, while at the same time reducing the probationary period of service, to permit of the early discharge of the appointee in case he should not prove able to satisfactorily fill the position. We expect at the proper time to secure the adoption of an amendment to the Charter extending the civil service provisions to all the departments of the city and county of Denver and correcting them as well as strengthening them where needed.

The visit of Commissioner Cooley and Mr. Goodwin was the occasion of a series of receptions and public

meetings in Denver, Colorado Springs and Pueblo, which accomplished much by strengthening the public sentiment in favor of a state civil service law which this association is pushing with the hope of securing its enactment by the Fifteenth General Assembly, which convenes next January. At the meetings at Colorado Springs and Pueblo steps were taken to organize local associations to assist in obtaining the desired legislation. Efforts are being made to organize similar associations in Boulder, Greely and Fort Collins, where there is considerable popular sentiment in behalf of such a measure.

The bill we are preparing will be mandatory as to the employees of the State and its public institutions, but optional with cities and counties. If the bill can be passed in the form we desire, it will give Colorado an effective law, the application of which will expand with the increase of population and the needs of the several communities without additional legislation. A local option feature with cities and counties should prove a desirable one, as it will require a campaign to secure the application of the law to the particular locality, and thus develop a public sentiment in its behalf, without which no such law could be properly enforced.

There is much ground for encouragement for the belief that we may secure the enactment of the proposed bill. Governor Peabody is strongly in its favor, as well as the State Board of Charities, and also the Boards of Control of the various State institutions. The character of the members of the two Houses of the General Assembly is thought to be higher than usual, and a number of them are strongly in favor of a good civil service law.

While our bill was passed in the Senate and killed in the House of the last General Assembly, yet that body enacted a law applying the principles of the merit system to the selection of Division Irrigation Engineers for Colorado, by requiring the Governor to make his appointments from a class of eligibles created by a noncompetitive examination in which he has free choice without regard to their standing or rating. This act has resulted in such improvement on the old method

of selection on personal and political grounds that it has won many friends to the reform. There is an increasing demand from the farmers of the State that the water commissioners, who are appointed by the county commissioners, should be taken out of politics. When it is realized that these water commissioners have actual charge of the distribution of the water for irrigating the crops, and that the success or failure of the farming operations for a given season is often dependent upon their decision, it will be seen how important it is that none but capable men, selected on account of their fitness and knowledge of the subject, should fill these important positions.

This Association has been struggling to obtain necessary legislation for a period of about ten years without achieving any practical success, except that of building up a strong public sentiment, until within the past two years, when as a result of its efforts the selection of Division Irrigation Engineers is now required to be made from a class selected by examination, and civil service provisions were included in the new charter adopted for the city and county of Denver. In view of these successes, however partial they may be, there is strong reason for hoping for the passage of a general state law by the next General Assembly.

From the Chicago Association the following report

was received:

By the death of John H. Hamline in February of this year the cause of civil service reform in Chicago and Illinois lost its ablest leader and your League a member of its Council. The memorial meeting subsequently held was a most remarkable testimonial to Mr. Hamline's useful work in behalf of good government.

Mr. Hamline and the other good friends of civil service reform were grievously disappointed at the failure of the last Legislature to give us a State civil service law. It was only the first battle, however, and the fight has been continued with, we believe, a most hopeful outlook. The dominant party has a stronger plank than ever before in

its State platform, while the new and able Governor-elect repeatedly promises that the next session of the Legislature will mark the beginning of civil service reform for the State of Illinois.

Notwithstanding the repeated attacks that are being made by selfishly interested parties in courts and elsewhere upon the dismissals by the City Commission, the enforcement of the City law is advancing, we believe, to a higher and more honest plane and with this comes the increasing respect for the law on the part of the public. This is also true of our County law.

Civil service legislation only lays the foundation on which it takes years to build a true merit system—the passage of the law only marks the beginning of the real labor. No small part of this work is educative—both for the officials and the public.

From the Missouri Association the following report was received:

This Association has accomplished nothing memorable during the past year, but is now making very strenuous efforts to increase its membership and secure civil service legislation for the state and city at the approaching legislature and municipal election, with some prospects of success.

Hon. W. D. Foulke then presented the report of the Special Committee on Superannuation, which was followed by a discussion, in which Messrs. Wheeler, Bonaparte, Lyman, O'Donoghue, Dana and Mrs. C. H. Dall took part. Upon motion, the report was referred to the Council.

Mr. Samuel H. Ordway then presented the report of the Committee on Resolutions. A discussion followed the reading of the resolutions in which Messrs. Wilcox, Richardson, Bonaparte, Woodruff, Ordway, Michaelis and Dana took part. Amendments offered by Mr. Bonaparte and Mr. Dana were adopted and, on motion, the following resolutions were then approved:

The National Civil Service Reform League, assembled at Washington in this its twenty-fourth annual meet-

ing, renews the pledges heretofore given of its loyal devotion to the principles of the merit system, and congratulates the country upon the steady and substantial progress made by those principles during the past year. The platforms of both of the great political parties, and the attitude of their candidates for the presidency during the reent campaign, have fully recognized the importance of sustaining and extending the application of those principles, and have given gratifying assurances of their permanency and development. There has also been a noteworthy increase of interest in the cause shown in the west and southwest, and a gratifying increase of activity on the part of local associations, which, combined with the effective missionary work of the Women's Auxiliaries, give assurance of future progress and success.

The League congratulates the country upon the steady and effective support given to the merit system by President Roosevelt, and upon the extensions of the rules and the improvements in their administration made by him with the hearty co-operation and assistance of the United States Civil Service Commission during the past year. It

especially commends:

I.—The increase of the classified competitive service by the inclusion of the greater part of the employees of the Isthmian Canal Commission, and by the inclusion of deputy collectors of customs, cashiers of custom districts, deputy naval officers and deputy surveyors. Deputy collectors of customs are the deputies of principal executive officers, and their inclusion in the competitive class is a precedent of great importance which gives hope of the subsequent inclusion of other deputies, such as assistant postmasters, deputy marshals and deputy collectors of internal revenue.

2.—The establishment in the Federal service of civil service districts throughout the country, and the consolidation of examining boards, a great administrative reform, essential to the practical development and progress of the merit system.

3.—The attitude of the President in regard to the violations of law and maladministration by employees of the Post Office Department, and towards political assessments of office holders, as shown by his recent removal from office of Jacob G. Bunn, Finance Clerk of the Philadelphia Post Office, and in his opposition to political activity

on the part of office holders.

The League expresses its deep sense of loss in the death of John R. Proctor, for many years the President of the Civil Service Commission, and a firm advocate of the merit system. For some time before his death, and during the past year, the League's relations with the Commission have been very intimate and friendly, and the League expresses its appreciation of the attitude of the Commission towards it and its suggestions. The League commends the work of the Commission during the past year, which has resulted in a marked improvement over former years in the general observance of the law and rules.

The League regards suspensions of the rules and special exceptions from the provisions thereof in individual cases as deserving the careful consideration of friends of civil service reform, some forty such cases having occurred in one year. The possible danger of such action is shown by the case of James A. Dumont, appointed Inspector of Hulls of Steam Vessels in the District of New York without compliance with the civil service rules, by virtue of an executive order dated March 26, 1903, and recently summarily removed from that office by the President, as the result of the terrible disaster to the steamer General Slocum, for neglect in the performance of his duties. The League feels that it is very dangerous, except in cases of most pressing necessity, to suspend the law or rules in the case of any competitive position where the candidate is unable to show his superior merit and fitness in open competition, no less than to exempt a place or class of places unnecessarily.

The League commends the new regulations governing the appointment of laborers in the departments at Washington, and urges that the important work of giving effect to the President's order of March 26, 1903, providing that regulations governing the employment of laborers should be extended as rapidly as practicable to offices outside of

Washington be pressed as rapidly as possible.

Fully recognizing the President's earnest determination to insist upon a rigid observance of the Civil Service law and rules, and the many cases where he has removed or refused to re-appoint officials who have violated the same, the League urges that the heads of great offices should be held responsible for the violations of the law and rules by their subordinates.

The League approves and commends the action of Mayor McClellan of the city of New York in removing from office the Park Commissioner for the Borough of the Bronx and the entire Civil Service Commission of that city for permitting violations of the local Civil Ser-

vice rules.

The League earnestly deprecates political activity on the part of organizations of civil servants, and urges appropriate legislation to prevent the same.

The League recommends and urges:

I.—The extension of the competitive classification to all offices not involving the policy of the administration, and which are not subject to confirmation by the Senate and are above the grade of laborer, especially deputy collectors of internal revenue, assistant postmasters, deputy marshals, pension examining surgeons, and, so far as practicable, fourth class postmasters.

2.—The recognition of the fact that the Post Office is purely a business department, that its administration should be divorced entirely from politics, and that the Postmasters (including those confirmed by the Senate) and their subordinates should be appointed solely for

merit.

3.—The extension of the merit system to the Consular service and to the entire Indian service, to which it is not already applied.

4.—The extension of the merit system to the Congressional Library, and to the whole of the municipal service

of the District of Columbia.

5.—The introduction of the merit system in the insular and municipal service of Porto Rico.

6.—The extension of the merit system to the service of the States and cities of the country not now under civil service laws or rules.

7.—The insistence by the President upon his constitutional right to nominate to office, free from any outside

dictation or interference.

8.—The repeal of the four year term of office law, and the general adoption of the principle of tenure of office during good behavior and efficiency.

9.—The rejection of all veteran preference bills.

10.—The adoption of a civil service rule against pernicious political activity on the part of Federal office holders, corresponding to the departmental rules to the same effect, thereby giving the Civil Service Commission power to investigate complaints of such a character.

11.—Constant effort to make and keep examinations practical, and to specialize them so as to test chiefly the capacity and fitness of the candidate to do the particular work of the position for which he is examined. The League commends the efforts of the United States Civil

Service Commission in this direction.

Daniel Coit Gilman.

Professor Henry W. Farnam presented and read the report of the Committee on Nominations, as follows:

Baltimore.

FOR PRESIDENT:

FOR VICE-PRESIDENTS:			
Charles Francis Adams			Boston.
Joseph H. Choate,			New York.
Grover Cleveland,			Princeton.
Charles W. Eliot,			Cambridge.
Harry A. Garfield,			Princeton.
Arthur T. Hadley,			New Haven.
Henry Charles Lea,			Philadelphia.
Seth Low,			New York.
Franklin MacVeagh,			Chicago.
George A. Pope,			Baltimore.
Henry C. Potter, D. D.	٠.,		New York,
P. J. Ryan, D. D.,			Philadelphia.
Moorfield Storey, .			Boston.
Thomas N. Strong,			Portland, Ore.
Herbert Welsh, .	•		Philadelphia.

FOR MEMBERS OF THE COUNCIL:				
W. W. Vaughan,		_	_	Boston
Richard Henry Dana, .			-	**
Arthur H. Brooks, .				44
Morrill Wyman, Jr., .			:	Cambridge.
William A. Aiken, .		•	•	Norwich, Ct.
Henry W. Farnam, .		•	•	New Haven.
Charles C. Burlingham,		•	•	New York.
Silas W. Burt		•	•	11011.
Edward Cary,		•	•	4.6
Horace E. Deming, .		•	•	44
Richard Watson Gilder,		•	•	44
Henry W. Hardon.		•	•	4.6
William G. Low,		•	•	4.6
George McAneny, .		•	•	4.6
Samuel H. Ordway, .		•	•	44
William Dassa		•	•	44
Carl Schurz,		•	•	44
Edward M. Shepard, .		•	•	44
Everett P. Wheeler, .		•	•	4.6
** * * * * * * *		•	•	Buffalo.
Ansley Wilcox,		•	•	Dullaio.
George Burnham, Jr.,		•	•	Philadelphia.
Robert D. Jenks,		•	:	i miadeipma.
Charles Richardson, .		•	•	44
R. Francis Wood, .	•	•	•	4.
Clinton Rogers Woodruff	,	•	•	**
Charles J. Bonaparte, .		•	•	Baltimore.
H. Barton Jacobs,		•	•	Daitimore.
Dr. H. O. Reik,		•	•	44
John Joy Edson,		•	•	Washington.
TO 1 (0) 11		•	•	washington.
Charles B. Wilby, .		•	•	Cincinnati.
William E. Cushing, .		•	•	Cleveland.
William Dudley Foulke,		•	•	Richmond, Ind.
Harry J. Milligan, .	•	•	•	Indianapolis.
Tunius D Cuille		•	•	indianapons.
William B. Moulton, .		•	•	Chicago.
John F. Lee,		•	•	St. Louis.
Henry Van Kleeck, .		•	•	Denver.
Talen A Doubles		•	•	Milwaukee.
II. M. Cuna		•	•	Kansas City.
C D William		•	•	Los Angeles.
C. D. Willard,		•	•	ros vilkeies.

Mr. Samuel H. Ordway moved that the Secretary of the meeting be directed to cast one ballot for the election of the gentlemen nominated. The motion was unanimously carried, the Secretary cast the ballot and the President announced the election of the ticket as read.

Professor Farnam presented the following resolution in regard to the resignation of Mr. Charles Collins from the Council, which was, on motion, unanimously adopted.

Resolved, That in omitting the name of Mr. Charles Collins, at his own request, from the Council, the National Civil Service Reform League desires to place on record its appreciation of his long, faithful and wise devotion to the interests of civil service reform.

FOURTH SESSION.

NEW WILLARD HOTEL.

FRIDAY AFTERNOON, DECEMBER 9.

THE League reconvened at 2.50 P. M. In the absence of the President, Hon. Charles J. Bonaparte took the chair.

The chairman announced that owing to the number of papers to be read at this session, discussion would be deferred until after all the papers had been read and that it then would be limited to five minutes for each participant. The following papers were then read:

"The Establishment of Civil Service Districts—an Administrative Reform"—by Frank M. Kiggins, Chief Examiner, United States Civil Service Commission. 1

"Regulations for the Employment of Laborers in the Civil Service "-by Albert de Roode, Assistant Secretary of the League.²

"Appointments without Examination under Special Exceptions to the Rules"—by Hon. Nelson S. Spencer, former member of the Municipal Civil Service Commission of New York City. 3

"Restrictions on the Power of Removal"—by Joseph

P. Cotton, Jr., of New York. 4

"Political Assessments and Offensive Partisanship on the part of Officeholders"—by Robert D. Jenks, Secretary of the Civil Service Reform Association of Pennsylvania. 5

Printed in full 1 at page 96; at page 107; at page 117; at page 132; 5 at page 141.

In the discussion following the reading of these papers Messrs. Foulke, Lyman, Cooley, Ordway,

Vaughan and Dana took part.

Mr. Michaelis moved that the Secretary extend the thanks of the League to the University Club and the Cosmos Club, which had so kindly extended their courtesies and hospitality to the delegates The motion was unanimously carried.

The League then adjourned.

Attest :

ELLIOT H. GOODWIN,

Secretary.

A reception was tendered to the visiting delegates and guests by the Association of the District of Columbia at the New Willard Hotel at 8 o'clock, Friday evening, Dec. 9. Brief speeches were made by Hon. Henry L. West, Hon. John C. Black, Hon. James T. Dubois, General Ellis Spear, Hon. Theodore Burton, Rev. D. J. O'Connell and Hon. Charles J. Bonaparte. Hon. John Joy Edson, President of the Association of the District of Columbia, presided.

During the meeting of the League, an afternoon

During the meeting of the League, an afternoon tea was tendered to the delegates Thursday afternoon, by Hon. and Mrs. John W. Foster, at their residence, 1323 Eighteenth Street, N. W. Friday noon a luncheon was tendered to the delegates and ladies accompanying them by the District of Columbia Association at the University Club, Sixteenth and K Streets, and on Friday afternoon an informal reception at the Raleigh Hotel by Mr. and Mrs. John M. Gitterman.

Printed in full 1 at page 130; 2 at page 106, 140; 3 at page 139; 4 at page 127; 5 at page 151; 6 at page 155; 7 at page 159.

ANNUAL REPORT OF THE TREASURER.

:	November 3	0, 1904.		
Balance on hand, December 1, 1903	, .	\$1,136.29		
RECEIPTS:		_		
New York C. S. R. Association	\$1,526.50			
Pennsylvania C. S. R. Association	1,013.00			
Massachusetts C. S. R. Association	550.00			
Maryland C. S. R. Association	526.00			
Connecticut C. S. R. Association	125.00			
Buffalo C. S. R. Association	100.00	-		
Cincinnati C. S. R. Association	218.00			
Chicago C. S. R. Association	25.00			
Indiana C. S. R. Association	100.00			
Missouri C. S. R. Association	125.00			
Cambridge C. S. R. Association	50.00			
Massachusetts Auxiliary	100.00			
Maryland Auxiliary	50.00			
New York Auxiliary	50.00			
Pamphlets sold	2.25			
Total League Receipts	\$4,560.75			
GOOD GOVERNMENT Receipts	1,460.99	6,021.84		
		\$7,158.03		
DISBURSEMENTS:		•		
Salary of Secretary	\$1,475.00			
" " Assistant Secretary	762.50			
" " Editor of Good Government	312.50			
" " Clerks	1,209.33			
Rent of Office	500.00			
Printing	222.53			
Postage	137.15			
Stationery				
Office Expenses				
Traveling Expenses				
Expenses of Secretary's Western Trip	435 · 75			
Total League Expenses	\$5,537.00			
GOOD GOVERNMENT Expenses	1,308.24	6,845.24		
Balance on hand		\$ 312.70		
E. & O. E.				
•	A. S. FRISSELL, Treasurer.			

REPORT OF THE COUNCIL.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

MEMORIES of the last Annual Meeting of the League are saddened by the sudden death of the late John R. Proctor, which occurred on the day after the League's adjournment. Mr. Proctor's invaluable services to the cause of civil service reform were recognized by a Minute of the Council adopted on February 18th last past, and published in Volume XXI, page 55, of "Good Government." The vacancy in the Civil Service Commission created by his death was very promptly filled by the appointment of General John C. Black, of Illinois, Pension Commissioner during President Cleveland's first term, and, at the time of his appointment, Commander in Chief of the Grand Army of the Republic. The selection of General Black was unexpected to friends of civil service reform. The Council is happy to report that the official action of the Commission has been as vigorous and effective, and its relations with the League have been as cordial during the present year as during the year reviewed in the last Annual Report.

The report of the Special Committee appointed to investigate the dismissal of Huldah B. Todd, postmistress of Greenwood, Delaware, referred to this Council at the suggestion of our predecessors at the last Annual Meeting of the League, was considered at the meeting held on February 18th. The report, with accompanying documents, will be found in Volume XXI, pages 42 to 45, of "Good Government." The Council, after a careful consideration of the report, adopted the following resolution:

"Resolved, That while the dismissal of Miss Todd from the position of Postmistress at Greenwood, Delaware, was legally within the discretion of the Postmaster-General, yet the fact that a postmistress of acknowledged efficiency was removed on the ground of offensive partisanship, though the testimony was at best inconclusive and not secured until after her removal, shows the importance of extending to such places the principles of the merit system, including the rule requiring charges and notice before dismissal."

In the last Annual Report of the Council reference was made to the frequency of complaints of violations or evasions of the civil service law and rules on the part of Federal officeholders in Pennsylvania. Several similar complaints were received during the present year. The Postmaster at Philadelphia was, for the fourth time, accused of such misconduct on July 15th last, charges against him being preferred by the Pennsylvania Association. A careful investigation of these charges by the Civil Service Commission showed that they were wellfounded, although actual knowledge of the abuses in question was not brought home to the Postmaster. He received on August 8th a reprimand from the President and was ordered to correct irregularities brought to light in the administration of his office. Without special reference to the facts of this particular case, the Council suggests an expression of opinion by the League to the effect that evident and persistent unwillingness on the part of a public officer to obey the law and rules cordially and in good faith, when established by the occurrence of flagrant and repeated attempts at their evasion among his subordinates, should be considered a sufficient reason for his removal, even if no single instance of misbehavior in office can be proved against him sufficiently grave in itself, if standing alone, to justify such action. Yet more obviously these facts should be regarded as sufficient to prevent his reappointment.

Much discussion has been occasioned during the year by suspension of the rules in individual cases and special exemptions from their operation directed by executive orders so as to permit the appointment of persons, otherwise disqualified, to positions in the classified service. The subject was forcibly called to public attention by the case of James A. Dumont, lately Inspector of Hulls of Steam Vessels in the District of New York and removed from office by the President as one of the results of the appalling disaster to the steamboat General Slocum, whereby nearly one thousand lives were lost. Mr. Dumont had been for many years Supervising Inspector-General of Steam Vessels. On March 26th, 1903, an executive order was issued in the words following:

"The Secretary of the Treasury is hereby authorized to appoint Mr. James A. Dumont, now Supervising Inspector-General of Steam Vessels, to the position of Inspector of Hulls of Steam Vessels in the District of New York, Second Steamboat Inspection District, without compliance with the civil service rules."

The reason for this exception, stated in compliance with the law, was as follows:

"The reason of this order was the desire of the Department to avail itself of the long experience gained by Mr. Dumont in his service in the Department since his appointment in 1876."

The Council finds in the reason thus given no sufficient cause to believe that the exemption of Mr. Dumont from competitive examination was indispensable in the interest of the public service; "experience" is only one of various qualities required of such a public officer, and its possession would necessarily give a candidate an advantage in passing any fair, reasonable and practical examination sufficient to insure his success over inexperienced competitors in the absence of their possession of the other qualities requisite in a marked degree, or his own exceptional deficiency in some of them. It is evident that, while the Administration strictly and impartially applies the tests of the merit system to all appointments in the competitive classes, its moral responsibility is greatly lessened for the consequences of an unfortunate selection, since no purely human test can be infallible; but, when it chooses, as in this case, to set aside the established system, and fill a competitive position through the exercise of its arbitrary discretion, it must be held responsible for all unfortunate results, even for such as flowed, more or less directly. from its action in the particular instance in question.

In a report of the Commission now in preparation there are given the reasons for forty-two special exceptions occurring between June 30th, 1903, and July 1st, 1904. In one of these cases, however, the head of the Department (the late Postmaster-General Payne) declined to avail himself of the privilege, although he had requested it under a misapprehension of the facts. Of the remaining exceptions, some were granted under circumstances which, in the judgment of the Council, must have been in contemplation as of possible occurrence when the rules were framed, and therefore, like the case of Mr. Dumont, cannot be fairly considered necessary, and therefore legitimate, exceptions. Some were, in substance, condonations of previous irregular appointments or retentions in the service. A considerable proportion were for reasons of obvious public utility, and others were probably of the last mentioned character, although, as they are stated in the Commission's report, this fact is not altogether certain. In none of them, as explained by the Commission, is there anything to suggest political motives or to establish partisan or personal favoritism. Compared to the many thousand appointments made during the year in accordance with the rules, this number of exceptional appointments has but slight significance, and certainly does not justify the exaggerated language on the subject recently used. Nevertheless, it appears to the Council that all exceptions not clearly indispensable in the application of the merit system indicate, in some measure, the beginnings of a dangerous tendency which may furnish unfortunate precedents and lead to serious consequences under some future President and with a Civil Service Commission of a different type. The Council, therefore, recommends that, in so far as the influence of the League may have any weight in the premises, it be exerted to discourage this tendency.

At the commencement of the political campaign just closed energetic steps were taken by the Commission, with the cordial support of the President, to prevent violations of those provisions of the civil service law which prohibit assessments, more or less disguised, upon office-

holders for political purposes. The Council is happy to say that it believes these precautions to have proved in large measure effective, and that any such violations of the law which may have been attempted were attended with little success. Wishing to do all in their power to second the efforts of the Commission in this respect, the officers of the League addressed to the respective chairmen of the Republican and Democratic National Committees letters identical with those submitted to Senators Hanna and Jones in 1900, and requesting from each a public declaration that he recognized the right of every man, whether in public or private employ, to the wages of his labor, and, so far as might be in his power, would see that no one suffered because of his refusal to comply with a demand for political contributions made professedly on behalf of his Committee or of the party which he represented. To this letter Mr. Taggart replied in its exact words. Mr. Cortelyou stated that his Committee had not countenanced, nor would it countenance, directly or indirectly, "any violation of existing law on the subject of the assessment of Federal officeholders for political purposes," but denied that he could be reasonably called upon to make any such public declaration as was requested, in view of the records of the Republican National candidates and his own as the head of the Committee in charge of their canvass. These replies were both satisfactory to the officers of the League. Almost immediately afterwards the attention of the Pennsylvania Association was called to a flagrant and impudent violation of existing law on the subject of the assessment of Federal office holders for political purposes by a certain Jacob G. Bunn, a Finance Clerk in the Philadelphia Post Office. The case was promptly investigated by the Commission, and, upon its recommendation, Bunn was as promptly dismissed from the service by the President. So far as the Council is aware, this is the first instance of such a dismissal made during a political campaign and by the candidate in whose interest the contributions were solicited. The dismissal indicated unmistakably the purpose of the Commission and the President to faithfully and resolutely

enforce the law, and its moral effect has been excellent. That it should have been necessary, however, shows no less clearly how difficult it is to make office holders accustomed to partisan activity believe that they will be really punished for the violations of the civil service law while they remain in political sympathy with their superiors in office.

Several other cases of attempted levy of contributions for political purposes from Federal office holders were reported during the campaign from different parts of the country; and it is understood that some criminal prosecutions may be the result of their investigation by the Civil Service Commission. The action of the Commission has been throughout in entire harmony with the wishes of friends of the merit system, and no formal action on the part of the Council has been deemed necessary in the premises.

Since the election several successive executive orders have effected important and gratifying extensions of the practical application of the merit system in the Federal Service. Among these are the classification of the subordinates of the Isthmian Canal Commission, the consolidation of the Boards of Labor and Registration in the several Departments and extensions of the competitive class which cause it to include a number of officers hitherto excepted from it, among them Deputy Collectors of Customs; the last mentioned provision constitutes an argument, a fortiori in favor of the views expressed in the report of the Law Committee in relation to Deputy Collectors of Internal Revenue, to which reference was made in the last Annual Report of the Council. So far as the Council is informed, these executive orders, like the dismissal of Bunn, are unprecedented under the circumstances now existing, that is to say, there has never been before now a further practical application of civil service reform principles made by a President whose party had been victorious at the polls in the interval between the election and the succeeding inauguration.

The Council determined at its meeting held in February last to send the Secretary of the League on a tour

through the Western States to the Pacific Coast in the hope of awakening a more widespread interest in the principles and purposes of the League, and securing the cooperation of citizens not hitherto affiliated with it. The results of his journey were highly gratifying, and there is reason to hope that several new associations may be organized, and the activity of several among those previously existing may be greatly increased as a consequence of this journey. In the opinion of the Council It is highly desirable that the finances of the League should be placed on such a footing as to enable it to take similar action during the year 1905.

The Council and the officers of the League have continued their efforts to secure an extension of the merit system in Porto Rico and in our several States and municipalities. The practical results actually attained in these respects during the year have not been very notable; nevertheless some progress has been made, and the outlook is encouraging for a further advance in various directions. It has been a source of great satisfaction to the Council to note the action of Mayor McClellan of New York City in removing the Civil Service Commission originally appointed by him for that city upon charges preferred by the New York Association, and substituting for it one believed to be in greater sympathy with the principles of the League.

The extension of the League's work and the continued activity of the New York Association obliged the Council, acting in accord with the Executive Committee of that Association, to increase the number of the League's paid officers by separating the positions of Editor of "Good Government" and Assistant Secretary. The additional expense involved, although limited as much as possible, constitutes a serious additional burden upon the League's finances, and obliges the Council to request more liberal contributions on the part of affiliated societies and individual friends of the cause.

Finally, the Council congratulates the League and the country on the steady progress of the reform in popular favor; on the zealous and effective support it may expect

with confidence from the President of the United States during the approaching Presidential term, and on the increased interest in the League's work and more general comprehension of its aims and methods on the part of all friends of good government and pure politics in our country. It is a grave error to believe that the work of civil service reform is now done or nearly done; but we may consider it with justifiable complacency as at least well begun and look forward with reasonable hope and cheerful patience to its consummation in due time.

On behalf of the Council,

Charles J. Bonaparte, Chairman.

Report of the Special Committee on the Civil Service in Dependencies.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

YOUR Committee on Dependencies takes pleasure in reporting that there has been no notable change in the Philippine service, which continues to give very general satisfaction. The experience in the Philippines constitutes an additional reason and a very strong argument in favor of the establishment of the merit system in Porto Rico.

Your committee has devoted considerable time and thought to the latter question during the past year. In the early part of the year an executive order was proposed by the Hon. Charles Hartzell, Secretary of State of Porto Rico, providing for the establishment of a modified civil service system in which the appointing officials should constitute the commission. After a careful study of the proposed order with the suggested rules, your committee, through its chairman and through the Secretary of the League, forwarded to Mr. Hartzell a letter outlining the objections to the proposed measure. Without being able to report as to the effect of the committee's objections, we are able to state that the executive order so criticized was not promulgated.

Upon the assumption of his official duties, the new Governor, the Hon. Beekman Winthrop, took up the question of the establishment of the civil service system,—his experience in the Philippines having clearly demonstrated the value of the establishment of a similar service in Porto Rico. At the present time this matter is still receiving his close personal and official attention. To aid him in working out a satisfactory solution, he has invited the Hon. Alford W●Cooley, one of the Federal Commissioners, to visit Porto Rico, and to give to him the benefit of his experience in the Federal service.

Therefore, while the committee has nothing definite to report in the way of concrete achievement, it feels that the outlook is a most hopeful one, and that during the coming year we may expect, through the active efforts of Governor Winthrop, the establishment of a system in all substantial respects similar to that which has made the Philippine service so satisfactory. It therefore believes that it can report progress in a very real sense.

On behalf of the Committee.

CLINTON ROGERS WOODRUFF, Chairman.

Address of Welcome.

HON. HENRY B. F. MACFARLAND, PRESIDENT OF THE BOARD OF COMMISSIONERS FOR THE DISTRICT OF COLUMBIA.

YOU are very welcome here. Your former meetings in Washington are remembered with pleasure, and we promise ourselves much profit upon your return. We know the honorable and distinguished history of the League, and appreciate all that it has accomplished in the cause of good government. National in character, and chiefly interested in the national civil service, which it has done so much to improve, there is no place more appropriate for its meeting than the national capital. There is no place where it has more sympathetic friends or where its triumphs and aspirations are better understood. Civil service reform is but a sentiment in many places, but here it is a substantial fact, which has transformed the whole life of the community. We who can remember the full operations of the spoils system here, culminating in the assassination of President Garfield, which shocked the country into its first real acceptance of the new reform, are grateful for the vast change in conditions. Frequent upheavals, wholesale changes for political reasons, and perpetual favoritism, with all their demoralizing influence upon individuals, political parties and the national life were more detrimental to this community than to any other. Business, society, the church, were all hurt by them. Now we rejoice in a stable civil service based upon personal merit rather than upon political favor, and blessing rather than cursing the national capital.

Unfortunately, the national civil service law does not apply to the District government, with its 3,500 employes, because that government is not part of the

national government, but a separate municipal corporation, according to the uniform decisions of the United States Supreme Court. Unfortunately, Congress has not yet granted the request of the Commissioners of the District, earnestly supported by our Civil Service Reform Association and the citizens generally, for a District civil service law. Nevertheless, the Commissioners of the District, backed by public opinion, have maintained a merit system of appointments and promotions, and make no removals except for cause. By courtesy the United States Civil Service Commission conducts examinations for admission to our police and fire departments, and on special occasions in other departments, but the Commissioners are earnestly appealing to Congress to give them a law for the District government similar to those in all other progressive municipalities. We hope that the District, which has been kept waiting longer than any other similar place, may soon be given its desire in this respect. Meanwhile, we are greatly helped by the spirit of the reformed national civil service and the wholesome atmosphere which it has created here.

It is inspiring to all of us to be in the place where the battle for civil service reform was won by the noble men who led its fighting line. It is ennobling as well as encouraging to remember that here that "friend of the republic," George William Curtis, hero and saint of civil service reform, the St. George who gave the spoils dragon its death-wound, struck the first great blow when he took the post of civil service commissioner after declining to be minister to England. We have the benefit of the heroic work of Curtis and his successors, none more militant or effective than that civil service commissioner who has just received an unparalleled vote of confidence as President of the United States from his fellow-countrymen, who first learned his character and capacity when he fought the good fight of the Civil Service Commission. It is not strange, therefore, that Washingtonians favor civil service reform. You are in the house of your friends, and

we trust you will feel at home.

Report from the Civil Service Committee of the General Federation of Women's Clubs.

MRS. IMOGEN B. OAKLEY.

A CERTAIN United States Senator was accosted one day by one of his constituents who said, "Senator, I hear that you have been speaking against the Monroe Doctrine." The Senator was properly indignant.. He said, "It's not true. I have always believed in the Monroe Doctrine. I have always defended it. All I said was, 'I didn't know what it meant.'"

Civil service reform seems to be somewhat in the position of this Senator's Monroe Doctrine. Its defenders sometimes, and its detractors very often, do not know what it means. The most popular opinion seems to be that it is an ingenious scheme for keeping the *ins* in and the *outs* perpetually out. Mr. Bonaparte found it advisable two years ago, in Philadelphia, when addressing the students of a great institution of learning, to take for his subject, "What is Civil Service Reform?"

A few years ago, Miss Perkins, of Concord, Massachusetts, conceived the idea of interesting the various women's organizations in this reform, and through them utilizing the machinery of the General Federation of Women's Clubs to aid and supplement the work of the

National League.

She succeeded in getting a hearing at Milwaukee in 1900, when five minutes were given to the consideration of the relation of the General Federation to civil service reform. The active influence of Mrs. Denison, the President of the Federation, kept the subject alive and secured an hour and a half for discussion at the meeting at Los Angeles in 1902. So much interest was

shown then that it was unanimously voted that a Committee on Civil Service Reform be added to the standing Committees of the Federation.

In November of the same year, Mrs. Denison appointed this committee, and in January, 1903, it set to work. The committee consists of six members and a chairman, and the States and Territories are arranged in six groups, each member of the committee being assigned the group geographically convenient. A committee member undertakes to be the centre of interest in her group of States. She corresponds with the State Federations, encourages the formation of study classes, distributes literature, arranges for meetings and speakers, and, in short, conducts a systematic propaganda. The State Civil Service Reform committees do the same sort of work under her direction among the individual clubs.

At the meeting in St. Louis last May, the chairman of the committee, Miss Bacon, of Worcester, Mass., made

her first report.

When her committee began its work only six State Federations had special committees on civil service reform-and four had entrusted the subject to sub-committees. Miss Bacon reported, as the result of eighteen months' work, standing committees in twelve States, while fourteen have organized sub-committees under the department of Civics, Education or Social Science. The report showed such a remarkable increase of interest that the delegates at St. Louis felt they were only fulfilling the wishes of the clubs they represented when they voted unanimously that civil service reform be one of the principal objects to be worked for by the General Federation during the next two years. As a means of rousing special interest, it was advised that every club affiliated with the Federation devote its first meeting in January to a discussion of the merit system and a consideration of how women can best further the cause in their own communities.

It would be an iridescent dream to suppose that every town in which there is a woman's club will hear civil service reform discussed in January, but we know that in every State there will be some meetings, and in some States many meetings, and we hope to create a wider interest and a better comprehension of the necessity of making the merit system the basis of municipal government.

Our committee thanks the League for literature and for advice, and is especially grateful to those men, who, as speakers, have so generously come to our assistance. We respectfully bespeak their further aid in these proposed January meetings.

Since so much of the work of women's clubs has to do with caring for the dependent and the afflicted, Mrs. Decker, our new President, suggests in a circular letter that has already been printed in Good Government, that the State Civil Service Reform Committees devote themselves as far as possible for the next two years to an examination into the management of our public institutions of charities and corrections. She makes this suggestion as the result of her own experience gained while Secretary on the Colorado State Board of Charities. It is asserted that official corruption is unknown in Japan. It would doubtless be unknown here, but for the inquisitiveness of occasional examiners.

Women, as a rule, have been slow to interest themselves in civil service reform—fearing that it might commit their organizations to politics, and in that way interfere with the success of their philanthropic and charitable enterprises. They have regarded it as something that concerns only the general government, and that does not affect them, nor their work for uplifting humanity.

One thing our committee has been trying to do, is to change this point of view. We point out how our public institutions of charities and corrections have become a source of graft. We show the intimate connection of the spoils system with our dirty streets, our bad water, our inefficient police. And we hope that by thus identifying the merit system with the cleanliness, health and peace of every household, we may be able to inoculate our humblest citizens with the microbe of civil service reform. This method does not prevent our taking an occasional outlook into national affairs. Those of us most concerned in the condition of our streets and alleys have been

able to take a lively interest in the persistent efforts of the Democratic party to efface itself, and our thrifty and housewifely souls have rejoiced that the Republican party was not put to the expense of a brand new set of principles for the last campaign—those of four years ago having been so little used as to be quite as good as new.

Our educational work has had the valuable assistance of the Association of Collegiate Alumnæ. In co-operation with the Pennsylvania Civil Service Reform Committee, they have corresponded with all the schools of higher grades in the eastern part of the State, and fifteen of the schools are now using as text-books the leaflets generously provided by the Massachusetts Auxiliary. The letters from the teachers adopting these leaflets have given us many practical ideas, and it is quite evident that a special pamphlet for the grammar grades is urgently required. The children of this grade have shown themselves capable of understanding correct principles of government. One of them being asked recently what he would consider a good proof that the Filipinos are capable of self-government, replied: "At a recent election in a Philippine village 84 voters were able to cast 89 votes." He was a Philadelphia boy, and could see in this small incident the germ of great possibilities.

A thoughtful boy can get lessons in government and political economy even out of his arithmetic. "How many mills make a cent?" was asked of such a boy, and he responded at once, "Not any, unless they are in the trust."

Civil service reform is so wide in its scope that we find it has a special and separate interest for every class of people. The fact that it requires a physical as well as a mental and a moral examination of candidates for office commends it to parents and teachers and all those who are especially interested in the physical improvement of the race. The hygienic value of this feature of the competitive examination crops out in unexpected places. A mechanic, in a small way, in the East Side of New York, having achieved popularity in his neighborhood, aspired to become a ward leader. A proper preliminary step, he decided, was to be enrolled on the police force. He attended night school to fit himself for the necessary ex-

amination, which he passed with credit; but he was rejected by the physical examiner on the ground that he was the victim of dyspepsia. His teeth had been neglected in his youth, mastication was imperfect, and dyspepsia was the result. The examiners held very wisely that dyspepsia tends to irritability, and that a man suffering with this disease would lack in the judicial calm which is so characteristic of the New York policeman. The man was an altruist in spite of his dyspepsia. He went to his friends and supporters and told his experience, and the result was a boom in tooth brushes throughout the entire ward.

Again, we find that those moralists and social economists who fear that the increase of luxury and the higher education of women tend to disrupt the home, favor civil service reform, because it is directly conducive to matrimony. Statistics are lacking in this country, but it was Mr. Dorman B. Eaton, if I am not inistaken, who pointed out that it is difficult to keep competent young women in the English Civil Service, their certificates attesting to their practical qualifications causing them to be eagerly snapped up by thrifty young men on the lookout for capable wives.

This, my report of the work of our committee, would be imperfect if it made no mention of our discouragements. They have not been few. We have found it very difficult to awaken interest in some States, and from several our appeals have elicited no response whatever. In such cases, we fall back upon strategy as defined by the Irishman: "Never let the enemy know you are out of ammunition, but keep on firing just the same." We have been called pessimists, and accused of hunting for motes and specks rather than keeping our eyes fixed upon the glorious and manifest destiny of our great republic.

Men in high position have told us that we are waging a useless warfare; that civil service reform is monarchial in its tendencies and has no place in a democracy. We have been solemnly warned that some day it will meet its Waterloo.

That may be; but on the day that civil service reform meets its Waterloo, its name will be Wellington.

The Extension of the Competitive Service.

CLINTON ROGERS WOODRUFF.

THE chief difficulty in preparing this paper has been to keep it up to date, for a reason, however, wholly satisfactory and encouraging, as the difficulty has arisen from the action of the President himself in extending the competitive service. For instance, in surveying the field with a view to determining what new positions that have been established should be included in the competitive service and what positions now exempt should be transferred, it became obvious that the employees of the Isthmian Canal Commission should be placed in the competitive service. No sooner, however, had this conclusion been reached than a dispatch from Washington announced that President Roosevelt had issued orders that they should be classified and brought within the competitive service.

Then again, after much study the conclusion was reached that Paragraphs 1, 2 and 3 of Section 2 of Schedule A, exempting "one cashier in each customs district, one chief or official deputy or assistant collector at each customs port; * * * and not exceeding one principal deputy collector of customs at each sub-port or station, and one deputy naval officer and one deputy surveyor at each customs port where such officers are authorized by law" should be stricken out. On November 23d, 1904, the President promulgated an order striking out these paragraphs from Schedule A, and three hundred and seventy-one positions were thus transferred from the exempted to the competitive class.

It may assist in an understanding of the recommendations of this paper if we recall that according to Rule II of the 1903 Rules the classified service includes all "officers and employees in the executive civil service, whether compensated by a fixed salary or otherwise, excepting only laborers and persons whose appointment is subject to confirmation by the Senate."

The competitive service includes those who must pass a competitive examination in conformity with the civil service rules before being eligible to appointment.

Excepted or exempted positions are those enumerated in Schedule A (as it is technically known) to which appointments may be made without examination.

Formerly the classified service was the competitive service. That is to say, it included all positions covered by the civil service rules, and the efforts of civil service reformers were therefore directed towards having an increasing number of positions classified. These efforts were uniformly successful until the sweeping exceptions made by the order of May 29, 1899. Under the 1903 Rules, however, all positions (always excepting laborers and Presidential appointments requiring Senatorial confirmation) were classified, and hereafter the efforts of the friends of the merit system must be directed to reducing the number of exemptions to the lowest feasible number.

In passing it is interesting to note that the complete classification scheme provided for under the Rules of 1903 restored a very considerable number of positions to the competitive service which had been exempted under President McKinley's order of May 29th, 1899. This fact and the recent orders of the President have materially lightened the burden of the preparation of this paper, and constitute substantial ground for encouragement that the recommendations it contains may be carried out in the comparatively near future.

Schedule A contains seven sections, dealing respectively with: I, The entire classified service; II, The Treasury Department; III, War Department; IV, Department of Justice; V, Post Office Department; VI, Department of the Interior; VII, Department of Agriculture.

Perhaps the more orderly way would be to take up

each paragraph under each section and consider whether under all the circumstances of the case it should be brought, for reasons of sound public policy, within the competitive service. It will, however, facilitate a fuller comprehension, and at the same time make for conciseness, if we consider the requirements of general groups of positions irrespective of the department of the government under which they may be found. For instance, we can consider the question of the exemption of confidential clerks and private secretaries, whether in the Treasury Department, Department of Justice, Post Office Department or Department of the Interior, as the grounds upon which their exemption is based are substantially the same and have no special relation to the department itself. It is generally conceded that such confidential employees of a Presidential appointee should be exempted from examination. That is to say, because of the close personal character of such positions, such heads should have a practically unrestricted power in the matter of selecting their confidential clerks or secretaries.

This argument, however, does not obtain in the matter of deputies to the principal executive officers, like collectors of customs and of internal revenue, postmasters, sub-treasurers and naval officers, or to assistant postmasters or to chief clerks in mints and assay offices. Such places can be successfully filled through competiive examination. The very fact that in so many offices of this kind the deputies are retained administration after administration is a conclusive argument in favor of their inclusion in the competitive service. Indeed it has always seemed to me as if the burden of proof was upon those who maintained that such positions should be exempted, rather than upon those who maintained that they should be, like all positions in the competitive service, filled only after an examination intended to demonstrate the fitness of the candidate. The President's order of November 23d last in regard to the deputy collectors of customs and deputy naval officers and surveyors, constitutes a precedent of prime importance because for the first time such deputies are included in the competitive service. The order would seem to indicate that the President is of the opinion that there is no valid reason why such deputies should be exempt from competitive examination, and we are justified in anticipating that the deputies of other executive officers will shortly be transferred from the exempt to the competitive service. This accomplished, the merit system will be most substantially buttressed round about and the permanency of tenure firmly established.

The President's order of November 23d also established a precedent in regard to another class of positions, in that it transfers from the exempt to the competitive service cashiers in the customs districts. Up to the date of this order the opinion had very generally prevailed, even among many of the friends of the merit system, that officers handling money should be exempted, inasmuch as the head of the department was responsible, through his bondsmen, for the proper collection and disbursement of the funds, and that therefore he should be permitted to choose those employees who were actually engaged in their handling. Provided the paymasters, cashiers and other fiduciary employees are properly bonded so that the head of the department is relieved of responsibility, except in so far as the character of the security and the general character of the office is concerned, there would appear to be no further ground for exempting such positions, and the President's order seems to be based upon this view of the case. If the cashiers in the customs districts are transferred from the exempt to the competitive service, it would seem only proper and logical that the cashiers, weighers, clerks, assistant coiners and molders and refiners in mints and assay offices, and the paymasters' clerks in the Department of War, finance clerks and cashiers in post offices, and financial clerks at Indian agencies should be transferred from the exempt to the competitive class.

Attorneys and assistant attorneys, and special assistant attorneys in the various departments, as well as

in the Department of Justice, it is generally conceded, should be exempted, as also examiners in the Department of Justice; but there is no substantial reason why all appointees for medical positions in any or all of the departments should not undergo an examination to demonstrate their fitness, including all "physicians employed as pension examiners and surgeons, whether organized in boards or working individually under the direction of the Commissioner of Pensions," including medical examiners in the Pension Office. So far as I have been able to ascertain it is the universal custom of hospitals to select their residents by means of rigid examinations, and there is no apparent reason why the Government should not follow a similar rule.

In addition to the deputies of the various classes referred to in this paper, and the cashiers, paymasters and other fiduciary employees, and the medical and surgical appointments, the municipal service of the District of Columbia should be brought within the classified competitive service and subjected to the competitive examination. This course has time and again been recommended by the commisjoners of the District of Columbia. In view of their high personal standing, their long experience and their distinguished public service, as well as for the good of the municipal service, these recommendations should be at once adopted, and the municipal service of the District of Columbia placed upon the merit system. This accomplished, there would be established at the Capital of the nation an object lesson in effective civil service reform of far reaching importance to every other municipality in the country.

Possibly it may be urged that the District employees do not come within the Federal service, but if they do not come under it, where do they come in? They are not State officers and they are paid to the extent of 50 per cent. of their salaries by the Federal government, they come under the control and direction of officers appointed by the President of the United States, and confirmed by the United States Senate, and they are subject to the laws of Congress. Moreover, at the request of the District

Commissioners, the Civil Service Commissioners have for some time past held examinations for police and firemen. It is difficult to conceive what more is needed to constitute the District employees a part of the Federal Service, although the Attorney-General has expressed an opinion that action by Congress is necessary to bring them under the competitive service.

There remains one other large group of employees not now subjected to the competitive test, and constituting the principal spoils of office, which must upon every ground of public policy be ultimately included in the competitive service. I refer to the sixty-five thousand seven hundred and sixty-six fourth class postmasters, to quote the report made public on December 1. These are now appointed by the First Assistant Postmaster General without any effort on his part or any opportunity to test the fitness of the parties suggested or urged for the discharge of the duties of the office. It may be true that there are administrative difficulties in the way of classifying these officers and bringing them within the competitive service, and the temper of the mind of the patrons of such offices must be taken into consideration, but it is not a problem which in its nature defies solution. If these offices were to be brought within the competitive service it would insure to the present incumbents, a permanent tenure of office, during good behavior, and the question of filling vacancies as they might occur would be a comparatively easy one. In passing, however, it must be observed that the rapid introduction of the rural free delivery system which is within the competitive service is partly effecting the end we have in view.

There will be appended to this paper a memorandum showing the clauses in the several sections of Schedule A and which are affected by these recommendations. There are at present a number of individual positions in the several departments which for administrative reasons are now exempted, but I have not deemed it to be a function of this paper to discuss these individual cases.

To sum up, therefore, the next forward step in the extension of the competitive service should include the trans-

fer of all deputies to principal executive officers, and the paymasters, cashiers, and other fiduciary clerks, all physicians and surgeons in the several departments, all the municipal employees of the District of Columbia, all the fourth class postmasters, to the competitive service, and the benefits of the civil service rules and regulations should be extended to them.

APPENDIX

The recommendations in the foregoing paper affect the following sections of Schedule A:

II. TREASURY DEPARTMENT.

- 6. One paymaster in the New York customs district.
- 10. One private secretary or confidential clerk to the superintendent, one cashier, one deposit weight clerk, one assistant coiner, one assistant melter and refiner, and one assistant assayer, in each mint or assay office.

III. WAR DEPARTMENT.

- 1. All paymasters' clerks actually on duty with paymasters.
 - 2. All cable engineers.

IV. DEPARTMENT OF JUSTICE.

2. One clerk to each United States district attorney.

V. POST-OFFICE DEPARTMENT.

- 4. All employees on star routes and in post-offices having no free-delivery service.
- 5. One assistant postmaster or the chief assistant to the postmaster, of whatever designation, at each postoffice.
 - 6. One auditor at the post-office in New York City.
- 7. One finance clerk, if authorized by law and regularly and actually assigned to act as auditor, at each post-office where the receipts for the last preceding fiscal year amounted to as much as \$350,000.

- 8. One cashier or finance clerk at each first-class post-office.
- 9. One cashier and one finance clerk at each post-office where the receipts for the last preceding fiscal year amounted to as much as \$500,000.
- 10. One cashier and two finance clerks at each post-office where the receipts for the last preceding fiscal year amounted to as much as \$1,000,000.
- 11. One cashier and three finance clerks at each post-office where the receipts for the last preceding fiscal year amounted to as much as \$2,000,000.

VI. DEPARTMENT OF THE INTERIOR.

- 1. The Superintendent of the Hot Springs Reserva-
- 2. One special land inspector and four special inspectors.
 - 3. Inspectors of coal mines in the Territories.
- 4. Special agents employed, as necessity for their employment may arise, for the purpose of protecting public lands.
- 5. Inspectors of surveyors-general and district land offices.
- o. One financial clerk at each Indian agency to act as agent during the absence or disability of the agent.
- 11. All physicians employed as pension examining surgeons, whether organized in boards or working individually under the direction of the Commissioner of Pensions. This paragraph shall not include medical examiners in the Pension Office.

VII. DEPARTMENT OF AGRICULTURE.

2. One statistical agent in each State and Territory where authorized by law.

Address of the President.

DR. DANIEL C. GILMAN.

I T is among the privileges of the Veterans (an evergrowing body to which, if you live long enough, you will all belong) to indulge in reminiscences. Younger men must be active in the field; older men may study the principles of strategy and try to indicate the essentials of success. As civil service reformers, young and old, perhaps both old and young, we belong to an army so vast and complex, having such a variety of weapons, sometimes defensive and oftener offensive (undoubtedly offensive, if not intentionally so), that no one in the fighting ranks can estimate the operations of each corps.

It is not amiss, therefore, for those who are out of active service, to place themselves in the rear, gather in the reports, sum up the gains or the losses, and consider the results already obtained, for the use of more serviceable combatants.

Leaving, then, to other speakers the specific topics which require immediate and deliberate discussion, I shall present some desultory reflections of an observer upon the progress of civil government, and upon efforts made by reformers of other days to promote the welfare and progress of society. These reflections must be brief and of course inadequate,—merely suggestive, it is true,—but possibly they may germinate and lead, in the near hereafter, to ampler and abler presentations of the theme. But for the sake of those who have not been present at former meetings of the League, I must begin with some facts of recent history.

Geographers of the school of Ritter and Guyot have taught us that to understand the earth as a whole we must know something of the pleasant places where our lives have fallen; and a current witticism, attributed to a Cantabrigian, declares that "to be truly cosmopolitan, a man must know something of his own country." Acting in accordance with this principle, before we look beyond, let us consider the recent history and the actual condition of civil service reform in this country, with a hope that although a brief epitome will sound trite to the silver grays in this assembly, it may be fresh to the new recruits. At any rate here it is.

The evils of the spoils system, unknown in the earlier days of this Republic, multiplied with the fecundity of bacteria, from the days of Andrew Jackson to those of reconstruction under Andrew Johnson. The Bacillus Tennessee-ensis did much harm to the body politic. Consequently in 1868 the need of reform became so apparent that it was brought into practical politics by the memorable activity of a Representative of Rhode Island, Hon. Thomas L. Jenckes. Several years later, Dorman B. Eaton produced his book upon English "abuses and re-' a book which remains to this day a vade-mecum of the veterans, and may be commended, as a pilot's own book, to all young navigators in the sea of politics. 1883, the Pendleton bill, establishing the National Civil Service Commission, became a law by the signature of President Arthur. The way had been prepared for this enactment by the administration of President Hayes, in whose cabinet sat an untiring advocate of reform, our former President, our constant support, our wise counsellor, Hon. Carl Schurz. One of these days, the world will know (what we can now surmise) how much was due to his patient wisdom as a Secretary and a Senator.

Since the National Civil Service Commission was organized under Dorman B. Eaton, we have passed the twenty-first mile-stone. This is an era from which to date. At our last annual meeting, a paper from Mr. Foulke, supplemented by one from Commissioner Greene, reviewed the progress of this period, so that all that is now essential is to give the latest summary prepared for us in the office of the Commissioners. By the kindness of Commissioner Greene, I present these figures, not yet

published, which will appear in the twenty-first report of the Commissioners. It is a remarkable record, worthy of careful attention and of tenacious remembrance. On June 30, last, the whole number of positions in the executive civil service was nearly 300,000, of which more than one-half were competitive. The exact enumeration is as follows: the whole number of positions in the executive civil service was 290,858, of which 154,093 were competitive, 80,798 were excepted, 49,254 unclassified, and 6,203 Presidential.

During the past year, 133,069 persons were examined, 103,718 passed and 50,830 were appointed. As compared with the previous year, it is an increase of 20,011 in the number examined,15,582 in the number that passed and 10,407 in the number appointed. From the same communication I gather these additional particulars. There has been a reduction of 11 per cent in the number of temporary appointments without examination in the service at Washington, as compared with the appointments of those standing highest upon examination. There has probably also been a reduction of about 3 per cent in the number of temporary appointments outside of Washington.

On November 15, 1904, the President adopted improved labor regulations for the service at Washington. An increasing observance has been shown of the prohibition of the assignment of unclassified laborers to classi-

fied work.

During the year there has been very marked progress in the observance not merely of the letter, but of the spirit of the act and rules, and noticeable absence of complaints of political activity and assessments.

In view of all this expansion of the merit system it has been a great satisfaction to read in both political platforms commendation of the principles of civil service re-

form.

Gratifying beyond measure has been the recognition of civil service principles, and the introduction of the merit system to the Philippines. From these examples of good administration in our dependencies, the stay-at-

home observers in the United States may derive instruction and encouragement.

May I not be accused of undue partisanship if I remind you that the President of the United States, just elected by an overwhelming vote, was once a member of the National Civil Service Commission. His writings are on record, services in New York and Washington in behalf of the cause are well remembered, and his official actions, since he entered upon his exalted station, assure the League that he is still a most efficient promoter of those measures of which for so long a time he has been a distinguished and efficient advocate. I have no authority to speak for him, but I am confident that he will be satisfied (as we may be also) if he is judged by what he does as well as by what he says.

Before I pass on from this review, let us bring to mind the fact that the progress of the last ten years is largely due to that admirable man, Hon. John R. Proctor, Civil Service Commissioner under the administrations of Cleveland, McKinley and Roosevelt. He was for many years geologist, and by the truth seeking methods developed in his career as a scientific man, he became a master of all known facts respecting the condition of our civil service, and a recognized authority with respect to past experience and future requirements. Those who heard his voice at the last meeting of the League in Baltimore, alas, so soon followed by his sudden death, have a vivid memory of his strong personality, his calm and judicial speech and his abiding faith in the merit system. All his colleagues bear testimony to his official fidelity, his skillful persuasiveness, his appreciation of obstacles and opportunities, and his devotion to the country's good. He was truly a statesman. What better can we say of him than to apply to him the familiar words of Wordsworth, portraying the Happy Warrior? Among those members of the Commission who have "gone over to the majority," three will always have especial honor-George William Curtis, Dorman B. Eaton and John R. Proctor.

From modern instances let us now recur to some early

reformers, and discover, if we can, the lessons suggested by their examples or derived from their speeches. A great deal may be learned from historical research. For example, much wisdom may be found in the utterances of the ancient prophets of Israel, but I will not quote that which ought to be familiar.

The first aphorism that I bring forward is that the advocate of righteousness in politics must never expect immediate approbation. Let him rather look for obloquy and think himself fortunate if he does not receive of it good measure, pressed down and running over. For his instruction let him read Plutarch's story of one whom I venture to call one of the earliest civil service reformers, Aristides the Just, ostracised from Athens twenty-four hundred years ago. Every school boy used to know why. A citizen, when asked why he wished the name of Aristides to be written on the voter's sherd, replied, "Because I am tired of hearing him everywhere called the Just." But Aristides, though his fame may have bored his contemporaries, was recalled three years after his exile and placed in stations of service and honor.

Another example is that of Savonarola, who merited the name of "the Savior of Florence" (given to him by a contemporary and repeated by his most recent biographer) and may receive the honor, as saints are sometimes canonized long after their death, of being designated as one of the most famous promoters in the time of the Italian republics, of civil and municipal reform. He it was who overthrew "the rule of the ring" in Florence and incited the people to vindicate their rights. Never in modern times, not even when Tilden and his co-workers overthrew the boss of New York, have there been such civic upheavals in behalf of good government. In the elaborate and scholarly memoir of this renowned reformer, by an author of the highest authority, Professor Villari, there are many instructive passages in respect to the evils then endured by the municipality and the struggles which were made to overcome these civic iniquities. I will read two brief passages which show the influence of one man devoted, regardless of personal consequences, to municipal

reform. These are the words of Villari, quite suggestive to reformers of the twentieth century:

"Savonarola did not invent any of the institutions he persuaded Florence to adopt, and this really constituted his chief merit. Institutions are neither created nor conceived; they come into existence as the result of the times and conditions of the people. He re-discovered them, as it were; and recognizing their value, succeeded in persuading the nation to adopt them; and what higher meed of praise can be given to his political sagacity? We repeat that Savonarola was more clear sighted than the other man, simply because his eyes were sharpened by natural good sense and earnest benevolence, and his mind was unperplexed by theories, his heart undisturbed by party spirit. He therefore deserves to be ranked among the greatest founders of republican states." (p. 300.)

"Again," says Villari: * * "we are almost tempted to believe that a miracle has been wrought in Florence, when a Friar, totally unversed in worldly matters, could succeed in confounding the wise, redeeming his country, and establishing a new Republic. But, on the other hand, this seemed to confirm the old experience, that in great social emergencies one force alone is powerful to save; the pure and unselfish moral force of really great men, namely: fervid earnestness for truth, firm and steadfast aspirations after goodness. In Savonarola all these elements were combined and formed, indeed, this very essence of his noble character. In moments of trial what learning could compare with wisdom such as this? what prudence boast the victories and conquests such devotion could achieve?" (p. 267.)

For your encouragement, fellow reformers, let me add that this highly gifted man endured the most obnoxious treatment and was burned at the stake, and yet his statue in bronze now stands in Florence on the site of his scaffold, and his name is honored throughout Europe as one of the promoters of human liberty.

Long before Savonarola, there lived another illustrious Italian, Dante Aligheri, so famous in the world of letters that his fame as a statesman is sometimes overlooked.

Dante was a civil service reformer who devoted his early years to the public service. By joining one of the guilds, an act then prerequisite to the holding of a public office, he became, a little later, a commissioner of public works and superintended the widening and improvement of certain streets in Florence. I can believe that Mr. Lowell or Mr. Gilder would have gladly rendered kindred services in Boston or New York, if there had been any possibility of their selection, though I admit that, as a general rule, the measures of well trained engineers are more desirable than the metres of the most accomplished versifiers.

The second aphorism is this, that lofty ideals must Those who are called upon to frame laws or pass them must study, in the light of experience, the art of government as did the founders of this republic who, with limited apparatus, without such libraries as we possess, ferretted out the records of ancient states. The Spirit of the Laws by Montesquieu was a favorite book with them and the student of politics might do worse than to recur to his pages even now, though Thirlwall and Grote, and Mommsen and Sismondi stand on the library shelf and the Federalist is in the student's hands. But historians are not the only teachers. The publicists, Bluntschli, Lieber, Gladstone, Tocqueville and Bryce have their lessons for us. Emphatically let me say that the idealists must be consulted.—those seers whose lofty conceptions of what mankind should strive after, began with the earliest of Grecians and were continued by Plato and Aristotle and a long line of bright men, down to the authors of Utopia, Oceana, Telemacque and the Persian Letters. The practical politician is prone to think that he has no use for the idealist, but if he will turn to the pages of Sir George Cornwall Lewis, he will find in a compact form, a defense of idealism in politics which has its parallel in Sylvester's assertion of the value of imagination in science, especially in mathematical science. If we consider all the great items of political progress, says this far sighted statesman, such as the introduction of monogamy, of the abolition of slavery, of the liberty of

the press, of religious toleration, of permanent embassies, of a standing army, of a government post office or of a civil police, we shall find that every one of these measures must, when it was newly introduced, have been conceived of by its author as an ideal scheme.

The third aphorism is this. While it is important to be aggressive, it is imperative to be patient. The public at large are slow to follow the leadership of the most wise and most thoughtful members of the community. No statistics enable us to speak with mathematical precision, but it is safe to estimate that it takes a period of from thirty to fifty years, let us say the time of one generation, to secure the popular approval of matters of minor importance, while to establish greater principles a longer period is usually involved. It is encouraging to know that good ideas have extraordinary vitality; they may slumber for decades or centuries, but once embodied in laws and institutions they are, like the bread cast upon the waters, found after many days. Perseverance in a good cause is just as important as those alluring qualities, combativeness and suggestiveness.

Any one who has followed the discussions of this League in this and former years, must be aware that the members do not consider that their task is done. couraged by the progress that has been made, enlightened by the efforts which have led to victory, they look for early and great improvements in many directions, for example, in the consular system and in the subordinate posts of the diplomatic service; they are striving for improvement in municipal government. They seek to persuade the public that no appointment should be made in educational or philanthropic establishments except on the grounds of fitness, training and experience. The task of reformers will never be done, so long as human nature is what it is,—but society will ever be advancing toward the perfection which seems beyond its reach.

Among the many eminent foreigners who have been among us during the St. Louis Exposition and during the Presidential campaign, there are three whose reflections are awaited eagerly. I refer to the Archbishop of

Canterbury, a student of ecclesiastical and religious conditions, to the biographer of Gladstone and to the author of The American Commonwealth, observers of political and social affairs. One of them, Mr. Morley, in his speech at Pittsburg, has given us an indication of what we may expect from him. After speaking of "the question of questions," whether moral forces keep pace with material forces in the world of which this continent, conspicuous before all others, bears such astounding evidence, he says there is many a sign of progress beyond mistake. "The practice of associated action, one of the many keys of progress, is a new force in a hundred fields, and with immeasurable diversity of forms. There is less acquiescence in triumphant wrong. Toleration in religion has been called the best fruit of the last four centuries, and in spite of the few bigoted survivals, even in our United Kingdom, and some savage outbreaks of hatred, half religious, half racial, on the Continent of Europe, this glorious gain of time may now be taken as secured. Perhaps of all the contributions of America to human civilization this is the greatest. The reign of force is not vet over, and at intervals it has its triumphant hours, but reason, justice, humanity fight with success their long and steady battle for a wider sway."

Surely, with these encouraging reflections, we may press forward in the work upon which we are engaged.

The Present State of Civil Service Reform.

HON. CARL SCHURZ.

SEVERAL younger members of the National Civil Service Reform League have asked me to express at this annual meeting my views on the progress and present state of our cause. I shall do so briefly and with that frankness and impartiality which have always been characteristic of the utterances of our League, and without which, in fact, the League cannot expect to maintain its usefulness. I shall confine myself to a very few points of vital importance.

I think it is no exaggeration to say that the cause of civil service reform has by this time substantially accomplished the conquest of public opinion in this country. The theoretical discussion of the question, whether the merit system or the spoils system is to be preferred as to its effect upon the honesty and efficiency of the public service, as well as upon our political life generally, may be considered as closed. The intelligence of the country, enlightened by practical experience, has, I think, pronounced its judgment in favor of the merit system so overwhelmingly that further argument of a speculative nature seems no longer needed.

I will not say that there are not politicians left who, seeking to build up political machines or to reward henchmen and finding the merit system in their way, will denounce it as a nuisance; or office-seekers who, unable to pass a civil service examination, find the competition rule woefully un-American. Of course, there are, and always will be, such interested objectors. But their objections have, in the face of experience, lost what moral authority they once had. Even that appeal to indolent conservatism which at the beginning of the reform move-

ment was so dangerously effective and discouraging—I mean the argument that, while civil service reform might be a good and desirable thing, the spoils system was so deeply imbedded in the political habits and ways of thinking of the American pecple that the attempt to uproot it was utterly hopeless—has, because of its evident futility, fallen into disuse and almost disappeared from people's memory. It may, therefore, be confidently asserted that civil service reform is now so firmly established as to have little to fear from the opponents who assailed it from without. If it is threatened by any dangers at all, they are dangers within.

What I mean by dangers within is that the practical administration of the merit system may be such as to nullify the objects which the system is to serve, or to forfeit the public confidence in the integrity of its conduct by admitting into it the element of arbitrary favor or partiality.

How great that danger is was strikingly exemplified by the administration of the civil service law under President McKinley. With Mr. McKinley's entrance into power in 1897, the Presidency passed from one party to another. The run for office was enormous. The President found himself exposed to a pressure to withstand which an uncommonly strong power of resistance was required. He was, no doubt, in point of principle, in favor of civil service reform, and for a considerable time he stood firm in its defence. He did it some good turns, as for instance, by the abolition of the secrecy of removals. which is gratefully remembered. But his kindly nature would not let him close his ears to the importunities of those of his political friends who were bitterly opposed to the merit system and sought to compass its destruction. I am far from saying that his administration gratified or even tried to gratify all the demands of the office-seekers of his party, for many of them vociferously clamored for **nothing less than the total abolition of the merit system**, or at least the competitive feature of it. But he permitted a practice of beating the civil service law, which, in its ulterior consequences, would have become equally destructive—far more destructive than the withdrawal from the classified service of some thousands of places which he ordered.

The rules were artfully honeycombed with little loopholes through which spoils politics could slip into the classified service, almost unperceived, except to the interested party, or to the experienced watcher, and possibly unappreciated by the President; and these facilities were so largely taken advantage of that the number of those who entered the service through the door of regular competition appeared materially encroached upon by the dodgers. But more than this. Hardly anybody was ever punished or seriously held to account for ever so flagrant a breach of the civil service law, and appointing officers came to understand that they could do pretty much as they pleased, which not a few of them did, as if no civil service law had been in existence. I need not go into detail, for the facts are sufficiently well known to the members of this League, the officers of which were kept busy remonstrating and protesting, but without avail. In short, the service was sadly demoralized, and it is not too much to say that, had these practices and conditions become permanent, the merit system would eventually be ruined by them. It is not to be believed that President McKinley, who, like many others, probably favored civil service reform in a general way without having a perfectly distinct idea of its essential requirements, was clearly aware of the havoc which his inclination to accommodate his party friends was working; but certain it is that since the enactment of the civil service law the merit system never passed through a period of more insidious peril than it did during that administration which was professedly its friend.

President Roosevelt's accession to power promptly brought on a marked change for the better. Having long been a militant champion of civil service reform, he at once recognized the threatening danger, and one after another he stopped the loopholes and closed the backdoors which, under his predecessor, had been opened to the invasion of spoils politics. Not only that. By some

removals or other drastic discipline of offenders against the letter or spirit of the civil service law, he let the officers of the government know that this law was not a mere harmless scarecrow, but a law with teeth and claws that must not be trifled with. Indeed, in some instances, as in the case of the Postmasters of Philadelphia and of New York, sterner action would have been highly desirable. But this is a matter of comparatively small moment in view of the unquestionable fact that, not only by making large and valuable additions to the classified service, but still more by undoing the mischievous practices which had crept into the administration of the civil service law, and by restoring discipline and infusing a wholesome spirit of loyalty into the whole service, President Roosevelt has greatly strengthened the reform cause and prepared it for new onward movement.

It is, therefore, with full confidence in the President's purposes as a civil service reformer that I invite attention to a practice which has recently sprung up, and which challenges examination. I mean the practice of suspending civil service rules in individual cases when a strict enforcement of them would seem to carry personal hardship with it or to be more or less prejudicial to the best interests of the service itself. The frequent occurrence of such cases of late has attracted public notice and given rise to some unfavorable criticism. That criticism may, in some instances, have been instigated by partisan motives, but there can be no doubt that much of it came from entirely friendly sources. Indeed, there was prima facic reason for it.

Civil service reformers are well aware that while the competitive merit system furnishes, on the whole, a public service vastly superior to that furnished by the spoils system, it may occasionally fail to present for appointment the fittest man for the place to be filled, especially when experience or other particular qualifications are required, and that a strict application of the civil service rules may now and then work a grievance, on individuals, exciting the sympathy of the appointing power.

How, in such cases, the interest of the public may be

best served or substantial justice may be done without injury to the integrity of the merit system and without subjecting the appointing power to the suspicion of arbitrary action or of favoritism, is one of the complicated questions on which there may well be a difference of opinion. The shortest way to solve the difficulty is no doubt that the President should take each case of that kind in hand, form his judgment upon it, and, if he finds that what he thinks the best thing to do cannot be done under a strict enforcement of the rules as to this special case, order action according to his judgment. And this seems to be the practice recommended by the Civil Service Commission, or at least a majority of its members, to the President and adopted by him.

But many members of this League, of whom I am one, although recognizing the expeditiousness of this practice in accomplishing the object immediately in view, look upon it as a very dangerous venture as to its ulterior

consequences.

It is one of the most fundamental principles of the merit system that appointments to places in the classified service, under the competition rule, shall not be made at the arbitrary will of the appointing power, but solely on the ground of merit, as shown by open competitive examination supplemented by practical probation during a certain period. This is to exclude from the action of the appointing power the motive of personal or political favoritism. It is essential that this principle be maintained -not only to the end of securing to the public service, on the whole, the best class of public servants, but also and this is hardly less important—to inspire the general public with confidence in the honesty, the good faith of the system—a confidence without which civil service reform, in spite of all the prestige it has gained, will again have to struggle hard for existence. It can survive occasional miscarriages of an honest application of its prin-But the loss of popular confidence in its good faith will seriously threaten its life. It is, therefore, supremely important that whatever may be calculated to weaken that popular confidence be carefully avoided, and

that in this respect evil appearance creating suspicion must be regarded as hardly less dangerous than evil practice.

It is evident that in this respect hardly anything can be more questionable, more liable to an unfavorable interpretation than the suspensions of the rules in favor of, or for the benefit of, certain selected individuals. The appointing power will have to satisfy public opinion that the suspension of the rules has taken place in the public interest, and not in the interest of favored individuals. This is done, or intended to be done, by the official statement and publication of the reasons which have induced the appointing power to suspend the rules. To impart full credit to such statements it is important not only that they should, in fact, be candid and honest, but that they should be beyond reasonable doubt convincing as to their pertinency. How far this has been accomplished we may conclude from the records before us in the reports of the Civil Service Commission. It appears from those records that in several cases the rules were suspended for the purpose of securing the services of men peculiarly qualified for the discharge of certain special duties—their special qualification being attested either by the authority of learned bodies or by persons considered trustworthy, or by evidences of expert knowledge. The rest consists mostly of cases in which strict compliance with the rules did not seem quite convenient, and in cases in which persons, mostly ladies, who had left the service, were reinstated after the lapse of one year, during which, according to the rule, such reinstatement should be permissible without a re-examination. With suspensions of the rules of this class, personal sympathy had evidently more to do than the interest of the service. Indeed, considering the inevitable evil effects of suspensions of the civil service rules that are not absolutely necessary, the interest of the service was, as to this class of cases, decidedly on the other side.

Neither did the practice of suspending the rules prove itself reliable, in more important instances, in the appointment of better officers than could otherwise have been

Under President McKinley's administration the rules were suspended for such purpose three times, and two of those suspensions resulted in the preferment of men who a short time afterwards found themselves under indictment for fraudulent practices in the Post-Office Department. Nor has under President Roosevelt's administration the interest of the service been promoted by a suspension of the rules to secure the appointment as assistant commissioner of immigration of a politician who could not have reached that position through a competitive test, or the appointment under a suspension of the rules of an "inspector of hulls" who subsequently was disgraced as an incompetent by the famous "General Slocum" disaster, and whose previous record had been such that it should have prevented his appointment to so important an office under any circumstance. Those who urged upon President Roosevelt a suspension of the rules in his behalf on account of his exceptional experience. would no doubt have received from the President a very energetic rebuff, had they exhibited that record to him.

Reading the statement of the reasons given for the various suspensions of the rules, my mind received the impression—and I expect this will be the impression received by the average reader—that, while there are a few cases in which extraordinary action may have been called for to secure men of exceptional qualifications for certain official positions, and while the President, in taking such extraordinary action, has been actuated by the best of motives, the whole proceeding bears in some important respects a striking resemblance to the distribution of places under the spoils system. I do not pretend to any special information on that point, but I think I risk little in saying that this practice of granting suspensions of the rules in favor of individuals has already gone farther than President Roosevelt originally intended or foresaw. is a significant fact that while President McKinley granted only three such suspensions, their number had, under President Roosevelt, according to reports made at the last session of Congress, risen to sixty; and it is

rumored that a large number has been applied for but

not granted.

There is then at once the striking fact so characteristic of the spoils system that as soon as the possibility of obtaining office by a suspension of the civil service rules becomes known, the applicants gather and multiply and one of the advantages gained by the introduction of the merit system, namely to relieve the Executive of troublesome pressure, is thereby in the same measure lost. Another consequence of greater moment is sure to follow. As the pressure for such suspensions of the rules increases, the number will also increase, and with their growing frequency the scrutiny of the reasons held to justify such suspensions will inevitably relax. This is no mere conjecture on my part. We have already had the actual experience of it. In studying the record you will be struck by the fact that, the suspending practice once under way, its operation was not at all confined to places requiring peculiar qualifications, but that it descended to ordinary clerkships and even to messenger places, and that in some instances the reason given for exceptional action appears exceedingly slight.

Nor will the practice, if continued, remain confined, as it so far in the main has been, to places in the government departments in Washington. The contagion will inevitably spread to the government offices throughout the country, and the President will be crowded with requests for suspensions of the rules from Collectors of Customs and Collectors of the Internal Revenue, and Postmasters and other heads of government establishments, whenever they want for one reason or another to place some particular person in some particular berth and find the civil service rules in their way. And the larger the number of such applications grows, the less will the President be able to give each case his personal attention, the more will he have to depend upon the advice given him by his subordinates high and low-some of whom may not be nearly as conscientious in such things as he is himself—and the more certainly will the new practice slide into the old ruts of the spoils system with

its questionable recommendations, and petitions, and

appeals and intrigues.

It is easy to see that the practice of suspending the rules the more it spreads the more it will, by the frequency of arbitrary appointments, be liable to strike at the vitality of the principle of open competition, which is the very foundation stone of the merit system. In any event, it will fatally weaken the confidence of the people in the impartial administration of that system, and thus immensely hurt the cause of civil service reform in public opinion. The President may be ever so scrupulous in scrutinizing the reasons for suspending, in behalf of any individual, a rule which is recognized as just and necessary, yet a single case in which the suspension of the rule was not unavoidable in the interest of the service, will throw suspicion on the whole practice, and the charge of favoritism, personal or political, will not only be made, but it will be very widely believed. This is inevitable. But if it were not certain—if it were only probable or only possible, it would be a risk involving the whole moral credit of the civil service reform cause—a risk which should be taken only under the pressure of the most imperative necessity—certainly not lightly.

I have heard it said that when a person is to be found for a certain office standing under the competitive rule, and the competitive rule can, for some reason, at the time not be complied with, it is better to suspend the rule as to that particular case, than to exempt the office itself altogether from the application of the rule. This is not the only alternative. I have already observed that while the competition system furnishes the best average results, it may sometimes fail to present for appointment the person particularly desired by the appointing power or their superior officers, or it may cause delays or other temporary inconveniences. Under such circumstances we have to console ourselves with the reflection that nothing human is absolutely perfect, and that it will generally be better to bear such imperfections and to seek proper remedies with patience than precipitately to resort to medicines, the effect of which will be far worse than the troubles originally complained of. This applies to at least nine-tenths of the cases on record in which the rule has been suspended. They were, in themselves, of very little real importance. And as to the very few instances in which the men of extraordinary qualifications needed for a particular place could really not be obtained by the ordinary competitive process, I doubt not that the ingenuity of the Civil Service Commission will be able to find a method of making proper appointments possible in a regular way, without exposing them to the least possible

suspicion of arbitrariness or partiality.

We are told that so far no present harm has been done by the suspensions of the rules. But what incalculable harm may they not do in the future if they are permitted to stand as precedents! We cannot always expect to have a convinced and militant friend of civil service reform in the Presidential chair. Must we not look for the contingency of that chair being occupied by a President who dislikes the merit system, or who does not care enough about it to protect it with a strong will against the greed of his political friends? Will not he or his political friends find in the record of suspensions, even as it now stands, precedents, or what they may artfully construe as precedents, to serve as justification for any arbitrary appointment they may wish to make, thus eventually wrecking the whole system? And is it not, therefore, devoutly to be wished that the Administration should take an attitude forever preventing those suspensions of the rules from becoming precedents to be used for such evil ends?

The Administration would thereby add to the many excellent things it has already done for the cause of civil service reform another one, and, indeed, one no less important than any of them, and thus encourage the hope, which we all confidently cherish, that it will carry the work as far onward as Executive action can carry it.

Address of Hon. William Dudley Foulke.

M. FOULKE in his address referred chiefly to the question of special exceptions which had been dis-

cussed in Mr. Schurz's paper. He said in part:

"I originally shared the view that if a man had to be excepted it was because he belonged to a class that ought to be excepted, and that to except him by name was dangerous and unwise. The first case that I recall in which the matter was discussed by the Civil Service Commission was the case of a coachman of one of the secretaries. The general rules covering all places in the classified service had included even such positions, but to insist that a coachman should be appointed competitively by civil service rules seemed unwise, and I accordingly proposed that the rules should be amended that coachmen generally should be excepted. But John R. Proctor, who had Mr. greater experience than I in the work of the Commission, said to me: "If we except coachmen we will find that every place filled by any man who ever drives a horse will at once become an excepted place. Coachmen will multiply like gooseberries, and instead of letting down the rules in one case, you will let them down in fifty." He cited instances when the exception of a class had been followed by enormous increase in the number of positions in that class for the purpose of making places for political retainers and he added: "Let us just except this one man and have it stop right here." He convinced me. We accordingly recommended to the President that exceptions should be made individually, and the result has been that the persons thus excepted have been less than one-tenth of one per cent of those admitted to the competitive service in any one year, instead of hundreds and even thousands, as they had been under amendments of the rules made by former Presidents. Moreover, where you give each man's name, and publish the reasons for the exception, thus exposing to criticism each special case in its most obnoxious form, you may be quite sure that the number of such exceptions will never grow so fast as it would if they could be made wholesale by a single stroke of the pen (in which case the exceptions would not be reported), and where it could only be ascertained after a difficult investigation how many had got in by each exception and under what circumstances. To insist that John Smith and Joseph Jones should not be specially named because that would discredit the system in the public eye, while a hundred men might be allowed to enter if the thing were only kept in more decorous shape, seems like sacrificing actual character for the sake of preserving the appearance of it. And we may be sure that any future Executive unfriendly to the reform will, if he wants to let down the bars, adopt the wholesale method of excepting by classes rather than except single individuals. The mere number of special exceptions with the reasons for them, which would have to be passed upon personally by the President, is a guaranty that even under unfavorable conditions the growth of exceptions could not become so great in this way as by the other method—while secrecy becomes wholly impossible."

Mr. Foulke also discussed the matter of superannuation in the civil service and recommended a system of annuity insurance. In his consideration of the present status of the competitive system in the Federal service he thought it was so far developed as to need comparatively little attention, but that in contrast to this condition was the absence of civil service reform laws in most of our States and cities, which gave rise to the necessity for organized and efficient work in this direction.

The Establishment of Civil Service Districts —An Administrative Reform.

FRANK M. KIGGINS, CHIEF EXAMINER, UNITED STATES CIVIL SERVICE COMMISSION.

FEW days ago the Civil Service Commission was requested to appear before a sub-committee of the House Committee on Appropriations, for the purpose of explaining the estimates of the Commission for a field force of employees to be borne on its own rolls and under its own control in lieu of detailed employees from the different branches of the service now exclusively assigned to the work of the civil service district boards throughout the country. I was present at the meeting of the committee and from the drift of the discussion observed that the members wanted information mainly in regard to three points: First, the reasons for the organization of civil service districts; second, the plan of organization; and third, its advantages. The subject assigned me on this occasion is such that it may properly be confined to the lines of inquiry of the committee, and I shall therefore briefly indicate the causes which have led to the consolidation of the many hundreds of local boards of examiners throughout the country into a limited number of civil service districts, the scope of the work assigned to the district boards, and the advantages of the district plan in the administration of the civil service law and rules.

The establishment of civil service districts has resulted from the growth of the classified service outside the city of Washington, the wide geographical extent of the work now devolving upon the Commission, and the need of closer and better supervision of its outside work.

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In July, 1883, when the civil service law first became operative the number of positions included in the classified service was a little more than 14,000, all of which, with the exception of a few technical and scientific places in Washington, were of a clerical character. Of this number 5.650 were in the Departments at Washington, 2,573 were at eleven custom houses in the larger cities where fifty or more persons were employed, and 5,600 were distributed among 27 postoffices each having fifty or more employees. This was a small beginning, and the following quotation is from the third report of the Civil Service Commission in 1886 explaining its policy with respect to classification at that time:

"On entering upon a new experiment in the executive service it was desirable to give it breadth enough to test its value in each of the great branches of the service, that is, the departmental service at Washington, the customs service and the postal service, without extending it beyond the possibility of efficient supervision and control by the Commission. If success should be achieved within such limits it would be very easy to extend the new system under the ample provisions of the Civil Service Act

to offices for which it was appropriate."

The work of organizing local boards of examiners to assist the Commission in conducting examinations at convenient points for applicants, as required by Section 3 of the Civil Service Act, was one of the first steps taken after the Act went into effect. A board of examiners consisting of three or more members, and bi-partisan character whenever practical, was organized each postoffice and custom-house to which the civil service rules were then applied. The members of these boards were selected from among those already in the service and for the seven Executive Departments at Washington a central board of ten was selected to supervise examinations for the Departmental Service. As the classification was confined to the principal cities it was not a difficult matter to select fairly well qualified members for boards of examiners. They however had their regular office duties to perform in addition to the civil

service work assigned them without increased compensation, and which on account of the pressure of their regular work they found time to do after office hours, or not The best results were therefore not secured by this method, although the Commission was not seriously embarrassed owing to the limited number of classified positions and the fact that the business of the Commission did not take up much of the time of these boards. correspondence with these boards was carried on with reasonable promptness, and while the work upon the whole was done fairly well, errors were not infrequent, and finally, owing to complaints received and the inability of the boards to give proper attention to the civil service work, a large portion including that relating to the rating of examination papers and the making of certifications for appointment was withdrawn from them and assigned to employees at the office of the Commission in Washington.

During the administration of President Arthur some extensions were made of the classification of the Departmental Service in Washington, and a few postoffices were also brought within the provisions of the rules, thus increasing the number of classified positions to more than 15,000. Further extensions were made during President Cleveland's first administration. The revision of departmental classifications increased the classified service by nearly 2,000, and the inclusion of the railway mail service brought in 5,000 additional places. More postoffices were added and all of these positions, with the growth of the classified service from other sources, increased the number of classified positions to more than 27,000. During this same administration many professional, technical and scientific positions were classified and the work of the Commission became more complex and difficult. It was not however until the following administration of President Harrison that the extension of the classified service outside of Washington began to tax the resources of the Commission. In April, 1891, the school employees and physicians in the Indian Service were classified, the force in the Fish Commission including the field service employees was brought in in 1892, the force in the Weather Bureau outside of Washington and 548 free delivery postoffices were included in January, 1893, with the provision that every free delivery postoffice should be regarded as classified when it became entitled to free delivery service. By personal visits to many of those offices and through correspondence local boards of examiners were established, but it was found that as a rule the employees available for membership on these boards did not compare favorably with those at the larger postoffices and custom-houses which were included in the first classifications. The extension of the classification to the free delivery postoffices greatly increased the difficulty of proper supervision of the service outside of Washington. It was necessary to conduct a correspondence with the local board at each office, and with the Commission's small force and limited appropriation for travelling expenses it was found practically impossible to give an efficient supervision to the work of all of those boards. Some relief was found at times by directing members of local boards in the larger cities to visit smaller towns in the vicinity for the purpose of conferring with public officers and giving instructions to local examiners in regard to civil service matters. This plan however was not carried on in a systematic manner, because frequently the members of the local boards in the larger cities who were found qualified for this work did not have the time to spare from their regular duties. But the difficulties of the Commission in maintaining a supervision of the classified service outside of Washington were destined to be very greatly increased before positive action was taken to relieve the situation. During the second term of President Cleveland, from 1893 to 1897, great extensions of the classified service were made, not only to positions in Washington, but to many outside positions including the engineer and ordnance departments at large, the internal revenue service, the Indian service, pension examining surgeons (who were subsequently withdrawn from classification), smaller customhouses, outside branches of the Department of Agriculture, sub-treasuries, mints, assay offices, and other mis-

cellaneous positions. At the close of his administration 80 per cent of the positions in the classified service were outside of Washington. Additional local boards were required to be established at the offices brought within the classification. With all of this outside work and many hundreds of local boards throughout the country, it was found that the plan of dealing with these boards directly, without intermediate organization and supervision, was a loose-jointed and unsatisfactory one. In many cases where they were expected to give information in regard to civil service matters, they were forced on account of their unfamiliarity with the rules and practice to refer inquiries to Washington. This should not be taken as a reflection on the local examiners. for, on the whole, they performed their work in a conscientious and intelligent manner and were of much aid to the Commission in carrying out the provisions of the law. They had little opportunity to become familiar with civil service duties, had their regular office work to perform, had to rely for instructions in the great majority of cases upon correspondence owing to the Commission's inability to send out examiners to instruct them, and frequently they incurred the displeasure of their superior officers by their attention to their civil service duties, which they often had to perform not only after office hours but also on Sundays and holidays. The Commission fully appreciated the difficulties under which the local examiners had to labor with their limited facilities, and considering all of the circumstances it is remarkable that they did the work so well, as they really had no incentive to render efficient service to the Commission except from a sense of duty. Besides there were frequent changes in the membership of these boards, and examiners, when they had become familiar with the work and fairly proficient, would be succeeded by entirely inexperienced employees, and the work of instructing these new men would then be in order.

On account of the inexperience of the local boards, much of the work that might have been intrusted to them was done at the office of the Commission in Washington,

resulting in a congestion of work at headquarters, where it fell largely in arrears. It was clear that something had to be done to relieve the situation, but it was not until recently that the Commission was in a position to carry into effect a general plan for the consolidation of the local boards of examiners into civil service districts, with a view of securing a closer supervision of its work outside of Washington and a more effective administration of the civil service law and rules. The first attempt at consolidation of the smaller boards was made in Massachusetts in 1807 when fifty of the boards in the vicinity of Boston were consolidated and placed under the immediate supervision of the board in that city. In 1902 a similar arrangement was followed with the boards in the vicinity of San Francisco, and in 1903, the same plan was adopted for the boards in the neighborhood of Philadelphia. Less than one hundred boards out of over one thousand at the time were affected by these consolidations when the question of districting the entire country was taken up in the fall of last year. With the extension of the classification to the many thousands of positions in the rural free delivery service, it was found, as shown in a recent bulletin of the Census Office, that the number of classified positions outside of Washington had increased to 102,464, as against 21,278 in the city.

It was fully appreciated that to secure satisfactory results effective organization must follow the extensive classifications, and to facilitate the dispatch of the business of the Commission outside of Washington the territory of the United States has been divided into thirteen civil service districts, with headquarters at Boston, New York, Philadelphia, Atlanta, Cincinnati, Chicago, St. Paul, St. Louis, New Orleans, Denver, Portland, and San Francisco. A district board with headquarters at Washington has been formed which attends to the civil service work relating to the local offices in the States of Maryland, Virginia, West Virginia, and North Carolina. Each district comprises the local offices in one or more States, and over 1,250 local boards have been distributed among the different districts. Those north of the Ohio

River and east of the Mississippi River are smaller in area but include more local offices, owing to density of population, than the districts in the western and southern States. This is an advantage, as it is easier to conduct civil service work at a central point for a large number of offices in a limited territory than in territory covering a wider area. In the districts of the greatest geographical area, but with the smallest number of offices, the officers in charge will have more time to visit distant points in their districts whenever necessary in connection with civil service matters that may require attention. In all of the districts, boards have been organized where the employees are as a rule exclusively assigned to the business of the Commission and are performing not only the work that was previously done by a number of the employees in the larger cities, who devoted their entire time to the business of the Commission, but they are also discharging practically all the duties formerly intrusted to the numerous local boards as well as some of the work previously done at the office of the Commission.

The district secretary is the principal officer of each board. The necessary printed forms in connection with district work have been supplied to the district boards, and they are furnished by the Commission with the latest information relative to applications, examinations, certifications for appointment, transfers and promotions, and are authorized to answer inquiries in regard to all these matters. They conduct the examinations of the Commission within their districts, make certifications to fill vacancies from the registers, furnish information to public officers and others relative to the practice of the Commission and the requirements of the rules, and investigate alleged violations of the law and rules and report to the Commission. The authority of the district boards however is limited and their duties are well defined by regulation. All questions involving any new or doubtful principle are required to be referred to the Commission for decision, and in order to secure greater accuracy and uniformity in results all examination papers are prepared and rated at the Commission. Certifications for appointment which are made by the district boards are subsequently checked at the Commission, and regular reports of the work of each board are submitted at stated intervals to the office in this city.

The district plan has proved to be a distinct gain over the old method and greatly facilitates the transaction of the business of the Commission with officials and the general public. By dividing the country into districts and having a trained man in charge of each district, work of the same nature formerly done by numerous inexperienced local boards, and later at the Commission where it caused a congestion in the business of the office, is now simultaneously performed by the district boards, and is carried on with accuracy and expedition.

Each district secretary is required to make regular inspections in order to see that no evasions of the rules are practiced. The advantages in the matter of holding examinations and in making certifications, which now result from the district plan, have greatly exceeded the expectations of the Commission.

To facilitate certifications for appointment the registers of eligibles as well as the examination papers for the different offices within a district are kept at district headquarters instead of at the Civil Service Commission. A copy of the eligible registers for each local office is furnished to the local secretary, and when a vacancy occurs the postmaster, collector of customs, or other official is immediately furnished with the names and addresses of the highest three eligibles who are entitled to certification so that he may make an appointment without delay; or if he desires to see the examination papers before making selection they can be forwarded to him from district headquarters in a very few hours. In over 90 per cent. of the cases the highest eligible is chosen. While the district method expedites certifications to fill vacancies from existing registers of eligibles, there has also been a gain in time in filling vacancies in cases where there is no register of eligibles from which to make certification. Under the old plan, for instance, if a vacancy occurred at a distant point, say California, it was the duty of the local secretary to communicate with the Commission and ask that an examination be held to fill the vacancy. Further correspondence would frequently ensue and weeks and, in some cases, months would elapse before the vacancy was filled. Under the district plan the district secretary is informed of the vacancy as soon as it occurs, and if the examination requirements are already fixed, as is true in nearly all cases, he is authorized to announce an examination at once under the general authority of the Commission. He then advises the Commission at once by telegram, and examination papers are shipped in due time. The delay in holding examinations at remote points has thus been reduced to a minimum, while the civil service work in the larger centers of population is done with gratifying promptness.

The force at all of the district headquarters consists of thirty-three employees, three of whom are at present detailed from the office of the Commission while the other thirty are detailed from different branches of the service. The Commission in its recent estimates to Congress, as has previously been stated, recommended that provision be made so that the detailed employees from other offices serving on the district boards may be transferred to its own rolls.

Each district board is required to keep in close touch with all of the local offices within a district, and the Commission, through its representatives from Washington, expects to give close supervision to the work of the district boards. These checks together with the public interest in the work of the Commission will serve to prevent any laxity in the enforcement of the law or the rules. I must say however in justice to the members of the district boards that they are doing their work in a faithful, earnest, and intelligent manner, and there is no reason to believe that the business of the Commission will in any degree suffer in their hands.

The establishment of civil service districts will enable those who are interested in the merit system to make a close study of its workings at convenient points throughout the country. At each district headquarters informa-

tion can be secured in regard to the civil service rules as applied to the Federal service, and it is hoped that the establishment of these districts will also lead to the organization of local civil service reform associations, at least at all district headquarters where such associations have not yet been organized. They would give encouragement to the district boards in the performance of their duties, and would aid the Commission in connection with the administration of the law and rules in each district. They would be in a position to compare the operations of the merit system in the Federal service with the methods pursued in the States and municipalities where the patronage system is still in force. It is believed that the information which they would be able to furnish the public relative to the practical advantages of the merit system would strengthen the cause and extend the principles of good government.

In conclusion it should be stated that Mr. Procter, the late President of the Civil Service Commission, fully appreciated the need of establishing civil service districts, and considered the plans for the organization of the first three districts just before his death. He was much pleased with the special interest taken in the work by Commissioner Cooley, whose attention was called to the need of a more effective organization of the work of the Commission outside of Washington shortly after his appointment last year, and with this object in view Mr. Cooley visited all of the cities where it was proposed to create district boards and conferred with public officials and others in regard to the proposed districts. While he has had the hearty support of the other members of the Commission it has been mainly through the interest he has taken in the work and his active efforts during the last twelve months that the plan has been carried into successful operation.

In the organization and equipment of the several districts, the Commission has had the cordial co-operation of the Postoffice and Treasury Departments, and it is fair to say that without the aid extended by the Postoffice Department in particular the plan of organizing these dis-

tricts, which has been accomplished in less than a year, would have been long delayed if not rendered practically impossible.

MR. LYMAN: I have no criticism to make, but I would like to say in reference to the paper read on the establishment of districts, that in my judgment this method is a decided advance step in the direction of good administration. I am enabled to make this statement because there centers on my desk in the Treasury Department everything that concerns the appointment, discipline and leave of absence of 26,000 employees in the Treasury service. Consequently I am brought in personal contact with the methods which are being applied to this system, and I am satisfied that the establishment of districts is a step in advance.

While I am on my feet I will say one other word; that is in relation to the paper in regard to the appointment of laborers. It is one of the most difficult problems we have to handle in the public service—the appointment and proper assignment of laborers. For four years before any regulations were adopted I am able to say that in the Treasury Department not a single laborer was removed for any but just cause—for any arbitrary reason whatever—and that before any regulation for laborers was adopted. That is a fair thing to say, I think.

Regulations for the Employment of Laborers in the Civil Service.

ALBERT DE ROODE.

THE matter of labor regulations is one of detail in the administration of the civil service, but it is in the details that the progress of civil service reform must now be made. Though the general principles are widely accepted, their operation has been often so hampered by cumbersome or inadequate details that it has led to the charge that the principles, though theoretically sound, are impracticable. I believe that a theoretically correct principle is capable of being practically applied. The consideration therefore of a somewhat prosaic detail in the application of the more splendid general principles, may perhaps be not without some little value.

The United States Civil Service Act forbade the classification of mere laborers and workmen in the Federal service and so forced the hewers of wood and drawers of water in the civil service beyond the pale of reform principles. It is only through executive order that the employment of these laborers has been brought under some sort of civil service rules.

The idea that laborers and workmen were unfit for or incapable of inclusion within the reform group furnished an unfortunate precedent in the extension of the merit system to state and municipal services. Where not altogether ignored by civil service rules, the employment of laborers has been encumbered by inadequate regulations which have opened the entire class to political exploitation. The labor class is a big field for patronage. In the Federal service there are nearly 35,000; in New York City about 15,000; in Boston about 5,000.

The problem in the employment of laborers is the

same as in other branches—how to secure the most efficient men and how to eliminate political preference. the framing of regulations there has been a tendency to lose sight of the first and to pay enough attention to the second to challenge evasion but not prevent it. The tendency to lose sight of the principle of comparative fitness has resulted from the difficulty—by no means small—of determining such fitness. Somehow the feeling has been prevalent that laborers cannot be graded according to their merit. Tests have been applied which separated the goats from the sheep, but seldom have any attempts been made at grading. As this essential principle of the merit system has been lost sight of, a new factor has crept into the selection. This factor is the idea that rules shall be devised which, if a man is reasonably qualified for the work, shall give him an equal chance with every other man. man has no right to public service except that he is better fitted for that service than some other man. The public service demands more than passing competency, more than the qualifications, is he capable, is he honest? It demands the most capable man. Still, this is somewhat academic. My paper was to be practical.

To give some adequate idea of the problem of employing laborers in the civil service and the attempts at solution it is necessary to examine briefly, though with some detail, the labor regulations in the various services.

They differ widely as to method and principle.

In Chicago there are two labor classes, skilled and unskilled. The skilled labor class includes almost every kind other than common labor, and is examined competitively. Nor are the examinations merely makeshifts. Out of 99 coal passers examined, 23 failed; out of 26 boiler inspectors' helpers examined, only 8 passed; out of 201 oilers examined, only 128 passed; out of 243 lamplighters (two examinations), only 172 passed.

These examinations comprise a technical examination, and a practical examination where possible. Credit is given for experience in the work applied for. No educational test is required except in the case of foremen, for which positions spelling and arithmetic are tested. The

system appears to work very well, and the written exam-

inations seem to be very practical.

The unskilled class is examined physically—merely a qualifying examination—and are then arranged on the eligible list according to lot. This does away with political preferment in selection for in Chicago the top man on a list has to be appointed. The vagaries of the goddess of chance, though doing away with politics, however, are hardly to be considered a substitute for a system which would concern itself with the comparative merits of the applicants.

It seems to me the chief thing to be learned from the Chicago rules is that it is possible to examine skilled labor

competitively.

In Milwaukee the only creditable thing about the labor rules is that foremen of laborers are included in the official service, which is, of course, examined competitively. Although the rules for the employment of labor require that each applicant shall receive a marking or rating upon the qualifications shown by an examination and that he shall be entered upon the appropriate eligible list in the order of such rating, no attempt is made to carry out this provision. The examination is construed to be the answers to the questions on the application blank, and a resolution has been passed by the commission that all laborers shall receive the rating of 100 per cent. if their applications are properly filled out. The eligible list is then arranged according to the date of registration, an obvious violation of the spirit, if not indeed of the letter, of the law. This may be explained, though hardly justified, by the difficulty encountered in grading laborers.

Massachusetts has an omnivorous veteran preference; the veterans are ranked first and must be employed before others can be certified. After the demands of the veteran have been satiated, former employes of the service who have given satisfactory service for a period of three months or more come next in the order of preference, and after them are ranked all others in the order of the number of persons dependent upon them. Within these different groups the men are rated according to

their capacity as evidenced by the certificates of former employers. There is no physical examination.

In the certification of eligibles, after the veterans have been appointed, two names are certified for each vacancy and the appointing officer is at liberty to select any of these men he wishes. Thus if 20 men are called for, 40 are certified and any 20 may be employed. This is a very dangerous latitude to be given an appointing officer, for the head of a department, if he wished to employ 20 men, upon the certification of double that number, could not be prevented from selecting the 20 according to their political affiliations.

The inclusion of foremen and sub-foremen within the competitive group, and the giving preference to laborers with experience in the service, are commendable regulations, though offset by the latitude in selection given the appointing officer. I fail, however, to see the peculiar merit, so far as ability to work is concerned, in having a great number of persons dependent upon the applicant. Perhaps the spinster state offers this preference as an encouragement to matrimony.

In New York City priority of application is the test for merit and fitness, but the appointing power is given ample latitude in selection to upset even this restriction. However admirable the principle of first come first served may be in certain fields, I am at a loss to see in what way the date of filing an application determines the fitness of a laborer.

The attempts to reveal the merits of applicants are through physical examinations, which are merely qualifying, and trade examinations, also only qualifying. These trade examinations are held for certain positions in the labor class, such as plumbers, painters, brick-layers and pipe-fitters, and are practical tests intended to show that the applicants are moderately skilled in their respective trades. They are conducted at various trade schools in New York.

I had an interview with the superintendent of one of these schools and it was his opinion that it was perfectly feasible to conduct such an examination on a competitive basis, coupled with written and oral tests; in fact such a plan had been previously used.

The violations under the New York rules group themselves around certain well defined and also well-known methods. The labor service is not free from the violations and evasions in vogue in the competitive service, such as assignment to work other than that called for by the title under which the person is employed, the appointment under special and fictitious titles, and the like. The labor service lends itself more readily to violations, however, owing to the obscurity of the individual positions and the ignorance of the laborer.

There are certain violations and circumventions which are peculiar to the labor service, owing to the great number of persons employed in certain positions and the free hand which the head of a department has in the discharging and laying-off of the laborers. The practically unlimited power of an appointing officer in the matter of suspending and dismissing laborers, as well as his power to increase at will the compensation of the "faithful" deters the better class of workmen, without political affiliations, from entering the service of the city. This power is the one most used to subvert the civil service regulations.

There are some 70 titles in the labor service in New York City and under each of these titles it is held foremen and assistant foremen may be appointed. Men are instructed to register for foremen or assistant foremen of positions for which no lists of foremen exist. They are appointed and assigned to work—if, indeed, they do any work—not in accordance with the title under which they are appointed. Thus we find a foreman of riggers in a department in which there are no riggers, and four foremen of bridge mechanics in a department in which there is not a single bridge mechanic.

Another method is the wholesale appointment of laborers and their almost immediate dismissal. Two favorites, let us say, are 25th and 30th on the list. A sufficient number of laborers are employed to reach these men and within a few days the surplus ones are discharged for "lack of work" or "lack of appropriation."

The rules and the charter in New York City provide that men discharged for no fault of their own shall be reported to the Commission and placed on lists to be preferappointment over all others. During new administration it has been common to suspend, contrarv to these rules, for a considerable period of time, men of the opposing political party and carry them on the pay rolls without pay. In the meantime, to do the actual work required by the department, political favorites are employed from existing lists. As an instance of this may be cited a case in the Department of Parks in New York. On August 13th 150 laborers were appointed from registration lists. At the time these men were appointed there were at least an equal number of laborers carried on the rolls without pay. A Tammany administration was in power. Of the men so appointed and whose political affiliations could be ascertained, 81 were democrats and 8 republicans. Eleven days later, 154 laborers were discharged. Most of them had been carried on the rolls without pay for from two to six weeks and longer. Of the men discharged, and whose political affiliations could be ascertained, 99 were republicans and 16 democrats.

Even if the men are not carried on the rolls without pay longer than the time allowed under the rules, it is an easy matter to carry them for the permitted time and meanwhile to appoint all the political favorites necessary. Of course those suspended when reported back to the Commission, go on a preferred list, but it is too late then.

There are many more ways in which the rules are evaded and many more in which they could be. I have found a rather fruitful source of discovering existing violations is to figure out how, if I were a politician, I could evade or violate the rules.

In the Federal Service all except mere unskilled laborers are included in the classified service. The unskilled laborers are, by Executive order, made amenable to some sort of merit regulations in the departments at Washington, and it is contemplated extending these regulations

to all laborers in the Federal Service. Until recently these men were examined physically by the Civil Service Commission and given a relative grading. Labor Boards in the various departments then rated the applicants on the qualifications shown from their applications, and the two sets of marks were averaged up and separate eligible lists established for the respective departments. This has been done away with by the new regulations, promulgated November 15, under which men are no longer rated on their applications, but merely on their physical ability. The departmental boards have been abolished and in their place has been substituted a general board with representatives from each department, acting under the supervision of the Commission. This is a decided advance so far as the method of administration is concerned. The testing of their physical condition, while at first perhaps not seeming to afford a competent test of merit, is, in practice, very efficacious. The heads of departments in Washington testify that those laborers standing highest in the physical test are better and more willing workers. stands to reason that physical well-being should be some sort of test for merit in the performance of physical labor. Then, too, the man who can easily perform work is not so apt to shirk it as the man to whom it is a hardship. It is to be regretted, however, that some method of rating laborers on their applications is not continued.

In the Navy Yard Service the system presents a most admirable administration of an imperfect principle—priority of registration. Various kinds of veterans, from those who actually took part in the Civil War to those who have been disabled in naval service, are given the first preference in employment. Next in the order of preference are those with excellent previous experience in Navy Yard work or in the Navy. Then come all others. The qualification of previous experience is an admirable one, but those who may be termed new applicants, coming under neither veteran preference nor previous experience, of whom there are a considerable number, are appointed solely in the order of registration.

The chief field for violation of the civil service princi-

ple in the Navy Yards, when it exists, is through the Each laborer is appointed provisionally for two weeks and at the end of that time may be kept or not as the head of the department sees fit. The head of the department of course relies upon his foremen, and in the hands of these foremen—who are, I am told, to a great extent very active leaders in local politics—lies a power which is apt to be wrongfully used, if not for political reasons, at least for petty plunder.

This cursory examination of labor regulations must have shown that the employment of laborers in the civil service is not what it should be. This is due to various causes: first, the substitution of priority of registration, chance, or the size of one's family, for the comparative merit of the applicants; second, the latitude given to the appointing power in the selection and dismissal of the laborers; third, veteran preference; fourth, the lack of grading according to compensation, which would make possible promotion regulations in the labor service and tend to attract the better class of labor.

Of course the latitude in appointment and dismissal and the veteran preference will be hard to abolish. think the first the easier to remedy. As to doing away with veteran preference, I am somewhat sceptical. Patriotism and the ballot are a very difficult combination to

overcome.

A plan of regulations which I would propose would. if these two difficulties were removed, work for a stricter application of the merit principle; even were the difficulties not removed, this plan would work for a much better system than provided for by present regulations. The limits of this paper will not permit going into the details of such plan. It must suffice that I suggest certain general but definite regulations. The details of their administration must be left for subsequent consideration. These general plans would provide:-

First, that all skilled labor of any sort be tested com-

petitively.

Second, that foremen and assistant foremen of laborers and others doing similar work should be included in 115

the competitive class and that appointments therein be made by promotion examinations from the labor ranks, after due length of service.

This leaves us with the problem of unskilled labor, the pick and shovel man, the stevedore and the roustabout. Can any test of their relative fitness be made? I do not think a competitive test such as could be given skilled labor is possible; the character of the applicants precludes anything but a rough grading. Still a comparative test is feasible. A physical test could be prescribed which would grade the men with some degree of accuracy, and for additional accuracy they could be graded as to their experience and the recommendations of former employers. Of course the gradings of unskilled labor could not be made to a very nice degree, but they would be sufficient for the purpose, and by the following system of ranking unskilled laborers according to their experience in the service an additional qualification of merit would be added to the two sets above outlined. I would have unskilled laborers ranked as follows:

First, those who have been in the service during the previous year, in order of their terms of service during that year; second, those who have at any time been in the service for three months or more and have left or been separated therefrom without any fault or delinquency on their part; third, all others.

The flagrant suspension and dismissal of laborers at the whim or design of the appointing power is an abuse peculiar to the labor service and a method of reforming this should properly be considered under labor regulations. I would propose that all suspensions and dismissals be reported immediately to the Commission or supervising board, and that the employment of no new laborer be permitted in any department so long as there are on preferred or eligible lists other laborers with a prior right to employment.

The main thesis of this paper has been that laborers can be rated competitively. The idea that they cannot is all wrong. Skilled laborers can be rated competitively though not as accurately as clerical, scientific or technical

employees. And the regulations outlined above for the unskilled class afford a method of rating them though

roughly at least comparatively.

This paper has taken on more of the nature of a criticism of existing regulations than was originally planned. This criticism is not intended to be that existing rules are false, but that they are imperfect; not that they are wholly bad, but that they are not good enough. Political patronage is an evil, it should be eliminated from the civil service, but we should regard this elimination not as the end, but as the means—the means to a more efficient service. In so far as existing rules tend to do away with this evil they are commendable, in so far as they seek to do only this they are imperfect. Labor regulations should include not only the elimination of political patronage, but a test for comparative merit.

I am not unmindful of the difficulties which have already been encountered in the carrying out of such a principle and which have perhaps necessitated some concessions, but these difficulties have been those of mechanism. Nor do I wish to disregard experience, although that is one of the rare privileges of youth. We should

learn from experience, but not be overcome by it.

The regulations I have proposed, though an attempt at the ideal, are not visionary. They are practical, and if imperfect are less so than existing ones. Difficulties in applying them are incidental, not vital, and can be met as they occur by patient, but persistent effort.

Appointments Without Examination Under Special Exceptions to the Rules.

HON. NELSON S. SPENCER.

THERE is one principle of the system of appointment to office through competition upon which we must constantly insist, if the system is to command complete suc-That is, that appointment is to be made in obedience to a fixed and certain rule. The personal element must be entirely eliminated, except as it may be exercised by the appointing officer in a choice between a small number of ranking candidates on a competitive list. The observance of this rule may at times work inconvenience, and may not produce ideal results, but the same fact is true of any human or, indeed, natural law, judged from a human standpoint. It is the result of experience that for the purposes of administration it is more important that a law should be certain than that it should be just. Any law is better than no law at all. And any law to command respect must be strictly enforced; otherwise, though it be certain, it will fundamental principle of lack the equality. is an error which seems to need constant correction. that an established rule of action must work concrete justice, and that if it do not it must be made to do so, according to the ideas of the official enforcing it. But to the extent to which he undertakes to do so, he is relapsing into the absence of order for which the rule stands as a correction. He is substituting his individual will for the general rule. The only safe position is stated in the reply of an able judge to an advocate who complained that the judgment of the Court would work injustice: "This Court does not sit to administer justice; it sits to administer the law." If it be found that a rule does not work well, the remedy lies in the establishment of a new rule, and not through any exception to its provisions in favor of an individual. And any such new rule must, like the old one, be general in its provisions; it must apply to classes of individuals, and relate to such classes as determined by some definite position in the community. Otherwise there is one law for Peter and another for John. This is true even if the class consist for the time being of only one individual. There are, for instance, various laws which apply only to the President of the United States; they are not concerned with either George Washington or Theodore Roosevelt.

These propositions may seem platitudinous, but in my view of the question which we are to consider, they need repetition. The merit system is intended to be a scientific system of providing candidates for office, and as such it must needs be conducted on a scientific basis, and judged by scientific standards. It is, doubtless, like most human institutions, an imperfect instrument, but it is conceded to have set the civil service in order where before was great disorder. The time has passed when we need to use the greater part of our energies to maintain its existence, and the most pressing need, at present, is for its efficient administration in accordance with the principles which govern all systems founded upon a legal rule. If we do not do this, we shall find ourselves left with a visible structure, in which there is no life.

Until quite recently, appointments in the Federal classified service have been made according to a fixed rule. The rule has been changed from time to time, but it has always been general in its application. But within the past three years, numerous appointments in the classified service have been made pursuant to special orders of the President, of which the following is an example: "Mr. William J. Lee may be appointed to the vacancy now existing in the position of telegrapher in the Department of Commerce and Labor without examination under the civil service rules." It is plain that under such an order, telegraphers cease to be appointed pursuant to a

certain rule, the competitive system as to them is destroyed, and their appointment becomes again a question of favoritism. Such an order supposes that the civil service law is not meant for the good but only for the bad.

These special orders are sought to be justified under the clause of the civil service act which refers to necessary exceptions from the rules. But there is, in my mind, grave doubt, to say the least, if they can be so justified.

The Act requires the Civil Service Commissioners to aid the President in preparing suitable rules which, among other things, shall contain eight fundamental provisions, of which the first is for competitive examinations for testing the fitness of applicants for public service, classified or to be classified thereunder, and the second is that all offices, places and employments so classified shall be filled from the results of such competitive examinations. It then provides that "any necessary exceptions from said eight fundamental provisions of the rules shall be set forth in connection with such rules and the reasons therefor shall be stated in the annual reports of the Commission." But it seems clear that the intent of this clause is that the exceptions shall be general and not special, that they shall relate to the classified "offices, places and employments," and not to individuals. As they are to be set forth in connection with the rules, they virtually form a part of them. Such certainly was the construction of the statute by the Commission and the Executive from 1883 to 1897. The first report of the Commission, in discussing the inauguration of the system and the rules promulgated under the Act, states that Rule 19 allows the applicants for certain places to be appointed without examination, and gives as the reasons the familiar ones of the confidential or fiduciary relations sustained by those who fill some of the places, the occasional need of employing persons of professional standing, or of peculiar capacity in others, and the lack of temptation for disregarding the public interests in filling others. The Rule itself excepts no individual. The places excepted are few in number (135 in the departmental service) and are of

the character specified in the report, such as confidential clerks, cashiers, superintendents of money order divisions in postoffices, the direct custodians of money, persons whose employment is exclusively professional, or in the secret service, and chiefs of divisions.

Subsequently, from time to time, for fourteen years, the list of excepted places was amended, but always by an order of amendment of the rule stating the exceptions. (See Compilation of Civil Service Rules, 18th Annual Report, p. 163.) The Commission in its reports has continually deprecated the growth of the list of excepted places, referring in all of its numerous discussions of the question to the class or character of positions excepted, and not to any individual position. In its 14th report it calls attention to the fact that the Committee of Congress reporting the civil service act for passage evidently intended that but comparatively few places should be excepted. Until 1897, and it may not unfairly be said until 1901, the administration of the system was consistently maintained according to rules general in their application.

On April 24, 1897, President McKinley, by a special order, provided that "the appointment of a successor to the present incumbent of the position of Assistant Attorney General for the Post Office Department may be made without examination under the civil service rules." reason for this exception was stated to be that this Assistant Attorney General is of like rank to the four other Assistant Attorneys General excepted by law. Rep., p. 132.) On May 24, 1897, a special order was made in like language relating to the position of law clerk for the Post Office Department to act for the Assistant Attorney General in his absence, the reason stated being that this clerk was an assistant and not a subordinate to the Assistant Attorney General (14th Rep., p. A year later—June 17, 1898, the President, using like language, excepted a chief of division in the Department of Agriculture, without assigning any reason (15th Rep., p. 72.) These exceptions are so framed that they might be said to be amendments to the general rule, and,

indeed, they are stated to be such in the 14th and 15th reports of the Commission (pp. 118 and 72 respectively)

Over three years later—on October 31, 1901—was instituted the practice which we are now discussing. rule made on that day provides that "an appointment to the vacancy now existing in the position of the clerk designated to sign checks for the pension agency at Philadelphia, Pa., may be made without examination under the civil service rules." (19th Rep., p. 77.) On the following day the President made a similar order relating to the position of steward at the White House (19th Rep., p. 77), and six days later one relating to the position of laborer with the duties of coachman in the office of the Assistant Secretary of the Navy. (19th Rep., p. 78.) On the 7th of February, 1902, John P. Green, occupying an excepted position as a confidential clerk to the Postmaster-General, was ordered to be treated as occupying a competitive position without examination. The reason for this exception is stated to be that it gave the Postmaster-General the appointment of an additional confidential clerk. This is the first occasion on which the name of the appointee has been inserted in a special rule. In the two years and five months following—to the 30th of June, 1904—it was done forty-one times. On the 30th of April, 1902, William B. Dulany, a laborer detailed to the White House, was specially appointed to the position of messenger at the White House (19th Rep., p. 92). On the 2d of June, 1902, the Assistant Commissioner of Immigration at New York, and on June 21, 1902, a disbursing clerk in the Department of Justice, were excepted (19th Rep., p. 91). These seven appointments complete the record in this respect for the official year ending June 30, 1902. It may be added, however, that during the same period non-competitive examinations were held for two doorkeepers at the White House under the rule which permitted such examinations where the head of a department certified that "the position to be filled requires such peculiar qualifications in respect to knowledge or ability, or such scientific or special attainments wholly or in part professional or technical, as are

not ordinarily acquired in the executive service of the United States." The six other non-competitive examinations held during the year under this rule were for positions which seem more plainly within the terms of the rule, namely, Engineer of Tests, Imposer, Chief of the Land Office Division of Forestry, Chief of the Division of Soil Management, Department of Agriculture, and Special Agent of the Treasury.

In the official year ending June 30, 1903, twelve appointments were made by special exception, of which the first was a clerk in the War Department to be detailed for duty at the White House (20th Rep., p. 72). Of the others, some were of a class which might properly be included in the general list, while others were apparently political in character. Such, for instance, was the exception in favor of Mr. James A. Dumont, of recent fame,

as inspector of hulls at the Port of New York.

In the year ending June 30, 1904, twenty-nine appointments were authorized by special exception, of whichmore than half were in the Department of Commerce and Labor. The character of the remainder varied from a clerk in the Post Office Department, for whom the Commission apparently refused to be responsible, inasmuch as the order was submitted "by direction of the President," and a clerk in the Department of State, also excepted at the President's direction and, as he says in an approving note, "Done at the request of John Hay, who says she is now the best clerk of her class that he has," to the Curator of the Section of Birds' Eggs in the National Museum, a position which, upon the reasons stated by the Commission, is entitled to be included in the general list.

The appointments made in the Department of Commerce and Labor are deserving of special criticism. To the public, this Department, under the Rules, seems possessed of singular virtue. It is not awarded a single excepted place, except the private secretaries or confidential clerks common to all the Departments. Yet through these special exceptions, it has obtained the right to fill places of the most subordinate character, which in every other Department are competitive. It is a misuse

of terms to speak of the application of the merit system, or indeed of any system, to a situation which permits the appointment of an assistant messenger at a salary of \$240 a year, and four messengers at salaries from \$480 to \$720 a year, at the will of one appointing officer, and denies it to another. Between March 12, 1903, and February 25, 1904, sixteen appointments were authorized, the full list of which is of interest. They are: A special examiner, a Chief of Division, Consular Reports, three special agents, a telegrapher, two assistant telegraphers, a telegraph and telephone operator, a clerk, a Lieutenant of the Watch, four messengers, and one assistant messenger. The name of each appointee is given in the special order affecting his position. Upon the face of the rules, all of these places remain in the competitive list, for the seeming reason that the excepted list may present a consistent appearance. The Department has evidently taken to heart Hamlet's advice to his mother, and assumed a virtue if it has it not. In the sixth report of the Commission, signed by Theodore Roosevelt, occurs this passage: "The fundamental proposition of the new system is that every American citizen has a right to serve the public (provided his services are needed), if on his merits he is able to show that he is the man most capable of filling the position he seeks, and all that he is required to do is to show this superior capacity in fair competition with other American citizens. In other words, the system is one of common honesty and fair play for all and therefore it is essentially American and essentially democratic." Any American citizen who placed any reliance upon these serious words at the time of the establishment of the Department of Commerce and Labor, must necessarily conclude that the Department was essentially un-American and essentially un-democratic in its organization.

In the two years and eight months from October 31, 1901, to June 30, 1904, there have been forty-eight appointments of persons specially excepted from examination. In addition there have been twenty other instances, in which special rules have been made in favor of indi-

viduals, largely to authorize their reinstatement after the period fixed by the general rule. Nor can it be said that these special rules have taken the place of amendments to the general rule, for in the same period there have been added to the excepted list four special inspectors to the Department of the Interior, one confidential clerk to the Commissioner of Immigration at New York, one immigrant inspector and law clerk in the office of the same commissioner, one Solicitor to the Collector of the Port of New York, all Commissioners for the National Military Parks, and all physicians in the Indian service. It is, I think, safe to say that this record shows a condition of administration which was never in the contemplation of Congress when it authorized "necessary exceptions from the eight fundamental provisions of the rules" to be set forth in connection with the rules and the reasons therefor stated in the annual reports of the Commission.

I have no time to do more than refer to the reasons stated for these exceptions, although it would be most instructive to consider each in detail. Many of the reasons are excellent, but they would be equally cogent if applied to the position and not to the individual. Many of them appeal to the sympathy of the Commission and the Executive, but sympathy has no place in administration—the moment it is heeded, the element of competition disappears. Many of them which are called reasons are not properly such. They are, for instance, like the one given for the appointment of a clerk in the War Department, to be detailed for duty at the White House, that it was desired to fill the position by the appointment of a person who possessed special qualifications for the position which could not be determined by competitive examination (20th Rep., p. 72), or the one for the appointment of Mr. Joseph Murray, a well-known political ward leader and office seeker, to be an Assistant Commissioner of Immigration at the Port of New York, that the position involved the exercise of administrative functions of a character which could not be well provided by competitive examination, and the condition of the immigration office was such that the President's discretion should not

be limited (19th Rep., p. 91), or the one given for the appointment of a clerk in the Treasury Department, namely, the desire of the Department to avail itself of the experience gained by Mr. Wyman in his twenty years of service prior to 1885 (20th Rep., p. 76). Reasons of this character are a mere cover for the opportunity to make a political or personal appointment. For this statement, we have the authority of the President himself contained in the 7th Report of the Commission. That report says: "These places are always asked for by the head of the bureau or office on the ground that he needs special skill or peculiar qualifications in those whom he chooses, qualifications which he asserts it is impossible to test by competitive examination. In a certain number of instances this claim is doubtless true, and in these cases the man can possibly be best chosen by the appointing officer himself, but in the great majority of cases it appears that the men thus chosen to fill excepted places are largely, if not mainly, chosen for political or personal reasons. is something comical in contrasting the solemn asservations so often made that he desires a place to be excepted merely for the purpose of choosing the best man for it with the fact that the best man thus chosen is generally a person prominently identified with the political organization of the officer appointing him, and that in spite of his alleged peculiar qualification for the place, he is almost invariably turned out with the utmost promptness by the appointing officer's successor."

But for the purposes of our discussion, it is not so material whether the reasons be good or bad, as whether they relate to a class of positions or to an individual; whether or not they are an excuse for the exercise of favoritism. The point of the matter is not that the positions should not be excepted, but that, if excepted, it should be done in accordance with some classification, even if the classification consist, for the time being, of only one place. In no way, other than by the establishment and enforcement of a certain rule, can the system be efficiently or even safely administered.

The logical consequence of a continuance of the pres-

ent practice is the restoration of the condition of affairs as they existed prior to the passage of the Act. If the office-seeking public understand that the President stands ready to make an exception in favor of one individual, it sees no reason why he should not make a similar exception in favor of another individual. Appointments are to be made at his will. He is above the law. We shall have constructed a machine to provide equal opportunity for candidates for office, the results of which will be interesting but not useful. Under such a practice, it is not possible for the public to believe that it is treated with "fair play." The number of applications made to the Commission for special exceptions goes to prove this. In answer to an inquiry made on my behalf as to the number of these applications refused, Commissioner Cooley writes, "Their number is legion. Hardly a day passes that some one does not come into the office with a request for a special exception of some kind." The whole system becomes the subject of just suspicion. Again let us appeal from Theodore Roosevelt, President, to Theodore Roosevelt, Commissioner. In its 9th Report the Commission gives as one of its reasons for urging a reduction in the number of excepted places, that "The public seeing some people appointed without examination, and apparently for political reasons, and not discriminating accurately between the different kinds of places, jumps to the conclusion that the law is set at naught and that political reasons still obtain in making appointments." If this be true of places excepted by classification, how much more must it be true of the special exception in favor of an individual.

It has been urged that the exception of the person and not the position has been found by experience to be the better plan, and in the forthcoming report of the Commission it is stated that during previous administrations it was customary to attain by general amendments the purpose now accomplished by these special exceptions. I believe that the record shows both these statements to be, at least in some degree, erroneous. We have no experience except that gained from the instances

which we are now considering, and it is our present purpose to discover if they constitute a better plan. It is my opinion that they do not. And I think I may safely assert that under no previous administration have four messengers and an assistant messenger in a single department been excepted by a general amendment to the rules, nor, indeed, could they be, without subjecting the Commission and the Executive to serious criticism. It is unnecessary to speak of other cases which might be cited.

For the administration of the civil service law, the President does not lack light. In that respect, we may be well content to be his pupils. We can ask no more than that he may apply the standards of his own selection—standards which he has thus stated: "We must treat each man on his worth and merits as a man. We must see that each is given a square deal, because he is entitled to no more and should receive no less. Finally we must keep ever in mind that a republic such as ours can exist only in virtue of the orderly liberty which comes through the equal domination of law over all men alike, and through its administration in such resolute and fearless fashion as shall teach that no man is above it and no man below it."

MR. DANA: I should like to say a word or two on the adoption of this policy of suspending rules in special cases instead of exempting classes of positions.

First, as to its history. I happened to be passing through Washington some two years or more ago, and called, as I usually do, on the Civil Service Commissioners. I found Mr. Foulke and Mr. Proctor discussing this subject. They talked it over with me. When it was first presented, I was opposed to it, but the reasons that Mr. Proctor gave were so convincing that I yielded and became convinced that they were right. I say this much so as to have it clearly understood where was the origin of the rule. It came out of the long experience of the faithful chairman of the Civil Service Commission, and a life long Democrat, the late Mr. Proctor. It was then

unanimously recommended by the Commission, consisting of Messrs, Proctor, Foulke and Garfield, about as able and faithful a Commission as can well be imagined, and was then adopted by the President after due consideration. The suggestion came from the Commission to the President, and not from the President to the Commission.

Next, as to the legality of special exceptions. I was surprised to hear that the legality of this system was questioned in Mr. Spencer's paper. The section of the law allowing exceptions is very general in its terms. the framers of the law intended that these exceptions should apply only to classes of cases, it would have been very easy and simple to say so, but the law makes no other limitations as to exceptions, than that they must be printed in the reports with the reasons therefor. special exceptions have taken place in both the administrations of President Cleveland and of President McKinley without protest. If anyone still believes that they are illegal, the courts are open. Some of these special exceptions have been made at the request of the appointing officers other than the President, and those cases would serve as tests for the law, but I believe no lawyer would advise anybody to spend any money in testing such cases after an examination of the statute.

As to the advisability of the system; -under the old plan of exempting classes of positions, it was almost impossible to tell how many were excepted. There is a pamphlet called "Scope and Effect," of fifty-nine closely printed pages of correspondence between Mr. George McAneny and Secretary Gage, in an endeavor to ascertain how many such positions were excepted under the single order of May 29, 1899, and it is not yet settled just what that number was, still less do we know what increases were made in the number of those positions after they had been taken out of the civil service rules. other hand, under this system of special cases, every single suspension is stated in the Commission's report with the name of the appointee and the reasons for the exception. Now let us see what this means. It means that under the general rule of exceptions of classes, we do not know

how many or who have taken advantage of it, even though we may approximate the number of positions exempted. To ascertain who and how many have been appointed under a general exemption, we would have to go around to the appointment clerks of the various departments and, with a great deal of difficulty, find out for ourselves. No one has ever yet done it, and probably no one ever will. But under the system of special exemptions, the exact number and every name is printed in the official report of the Civil Service Commission, distributed to every library in the country, and on the shelves of every civil service reformer. Then, again, as Mr. Foulke has just explained, and as I said before, to the Council the other day, as soon as a class of offices is taken out of the rules, immediately everybody wants a lot of people appointed to those places so as to get their favorites into office without an examination, and the number of such places is at once increased. For example, the Boston City Hall messengers were exempted. The appropriation for messengers jumped up in a single year from \$17,000 to something like \$120,000. Afterwards the positions were put under the civil service rules again, and the appropriation for this class of appointments decreased.

Next, let us consider the relative danger of the two systems. Mr. Schurz, in his paper, suggested that, while the special suspension rule may work well under President Roosevelt, some successor of his less in favor of the civil service law, may take advantage of the system for getting a number of friends into the civil service in an arbitrary manner. Let me ask you, would such a successor prefer a system by which every single one of his appointees is named and can be counted, and where would be thundering down on each action the denunciation of the press and civil service reformers, or would he prefer the other method of adopting a rule which would open an indefinite number of places and backdoor entrances into the service, by which uncounted numbers of persons can get in? That is, would he prefer the retail method, carried on in open daylight, or a wholesale method under cover of darkness? Which system is he going to take? Now

let us use our imaginations and suppose you or I were that man. Which would either of us choose? I think that answers the whole question.

MR. FOULKE: I would not inflict another word upon this meeting which has already heard too much from me. except for the criticisms which have been made of a system for which I believe myself perhaps more responsible than any man now living. You will therefore pardon a few observations in regard to the criticism of the system of special exceptions. The model which the gentleman seems to have taken of the judge who did not claim to administer justice, but only the law, is perhaps hardly applicable to executive action. I doubt whether it is the highest ideal even for judicial action. It reminds me of the definition given when I was examined for admission to the bar. The examiners asked one of the candidates the question, "What is a court?" and the candidate, in his confusion paraphrased Blackstone's definition and said, "It is a place where injustice is judiciously administered." For my own part I think we had better have a President—and I thank God that we have such a President-to whom considerations of justice as well as law are not wholly alien. I think, Mr. President, if the gentleman will remember, that even in the development of the law, those were not considered the worst judges by whose judicial discretion that great system of equity jurisprudence was developed out of the special cases "where the law by reason of its universality was deficient." But whether that be a good thing for a judge or not, the executive office is different. Our constitution for instance has placed in the hands of our President the pardoning power, which is wholly dis-Our laws provide for the punishment of cretionary. They are universal, but will you say, that the pardoning power (even though it may sometimes be abused) should be taken away from our executive, or that under no circumstances shall it be exercised? Whether justice, mercy or expediency demand its exercise, it sup131

plies a defect in those things where the law by reason of its universality is deficient.

I was forcibly reminded, while the gentleman was reading his paper, of the criticism of the acting of David Garrick which I once read in Tristram Shandy. I cannot remember the details, but my recollection is that it ran somewhat thus: "His acting was positively atrocious, my lord! Between the adjective and noun there was a pause of five seconds by a stop watch!" "But was this pause not filled by some gesture, by some expression of the face, by some incident?" "I looked only at the stop watch, my lord!"

My friends, that is the method of much of this criticism. In the five minutes allowed me for discussion I cannot take up the cases one by one, but I will take a single illustration. One of the instances cited, apparently for our reprobation, was the special appointment of a doorkeeper for the White House on the ground that such door-keeper "must possess qualifications not ordinarily found in the executive service." It may seem strange to those who look only at the stop watch that a mere doorkeeper should be specially excepted for this reason, but those who remember the assassination of Garfield and Mc-Kinley realize that for the place of door-keeper in the White House a man is required with a special knowledge of faces and character, a knowledge of the proper way to act under conditions which may require the utmost responsibility. You may take one case after another and you will find that in like manner there is some good reason for nearly all of them.

I shall not repeat the argument made last evening as to the desirability of excepting a single man rather than a class. In the case of the White House steward for instance, was it not better to except that single person rather than except all stewards? I think you will admit that it is better to except one man where necessary than to except a dozen. I do not think that needs any further justification.

Restrictions on the Power of Removal.

JOSEPH P. COTTON, JR.

THE original civil service reformers in this country, I believe, did not conceive a restricted power of removal as any part of a proper civil service, and closed the argument with an epigram—that if they looked after the front door, the back door would take care of itself. That is, it seems, rather slight treatment of the subject. At least, our experience has carried us beyond that theory. Every civil service system in the United States, based on competitive examination, provides some restriction in the removing power, and in spite of those restrictions removals are constantly made for political reasons. The question is how to stop them.

This paper will have two parts—first, to show, briefly, the existing restrictions on removal in force in the various services, and how they work; and, second, to consider how far any restrictions are wise.

First, then, the conditions and experience under existing laws:

There is no statutory provision in the Federal Service governing the removals, save that removals for political and religious opinion are forbidden; (Civil Service Act, Sec. 2, Subdiv. Fifth, Sixth R. S. 1546. See Act Aug. 15, 1876, Sec. 6) but the rules made by the President for the enforcement of the law forbid political discriminations (Rule I, Subdivision I and 2), and declare that removals shall only be for inefficiency of service and after reasons given in writing and a reasonable time to make personal answer to charges, but without a trial. (Rule XII.) The rules have not the force of law and no question of

illegal removal can be reviewed by the courts; they are made effective by giving to the Civil Service Commission power to investigate removals and report to the President. The reports of the Commission have no legal authority, save as their recommendations are carried out by the commands of the President directed to the appointing officers in each case. The system does put a real check on political removals,—just as effective as the President wishes to make it.

Previous to this year there were no restrictions on removals in Massachusetts, but in 1904, in accordance with a recommendation of the State Commission, and, I am informed, against the advice of the Massachusetts Civil Service Reform Association, a law was passed providing that removals should only be on stated charges after a public hearing. Presumably it was intended that the action of the removing power is not to be reviewed by the Courts.

The Illinois Civil Service Act of 1805 applies only to Chicago and Evanston, but the Chicago experience is peculiarly valuable. Section 12 of that Act provides that no officer or employee in the classified service shall be removed save on written charges, after an opportunity to be heard before the Civil Service Commission or some officer or board appointed by them. The trial board thus created has substantially the legal powers of a court of the first instance; its decisions are final and cannot be reviewed by the courts. No appointing officer has any removing power; all he can do is prefer charges before the Commission. (See Sec. 33 of the Act.) The practice of the Chicago Commission is to have all complaints in the Police Department heard before a sub-committee, which sits an equivalent of three or four afternoons a week, consisting of two of its number and one police inspector; the standing committee for investigating complaints in the Fire Department is made up of two members of that department and the Secretary of the Commis-

The Chicago system stands as providing a definite trial board outside all departments, with final legal powers

—and practically makes removal from the public service no longer an administrative act, but a judicial act. In its eight years' experience the usual verdict is that the system has worked well.

The civil service laws in force in Seattle, San Francisco, Los Angeles and Denver in this regard are generally modelled on the Illinois act. None of them have had

a sufficient experience to try out their merits.

Now coming to New York, and it is here that the removal problem,—the problem which I have particularly in mind in this paper,—is most sharply presented. There is no uniform system in New York. In certain departments of the service there are no restrictions, in others removals can be made only on written charges and a hearing before the appointing officer, but without any trial or review by the Courts.

The New York City Police Department, however, has a definite system of removal restrictions, which has been thoroughly tested. The experience has been illuminating. The New York City charter provides that no member of the police force shall be punished or dismissed, save on charges in writing and a trial before the Police Commissioner or one of his deputies. That is practically a courtmartial, at which the Commissioner is both accuser and iudge. The Courts have power to review such proceedings by way of certiorari and reverse such trials if unfair. In dealing with the police of New York-a body notoriously hard to control, in some ways very efficient, but with "graft" percolating through it from the top down, the question of removals is of the highest importance. Recent police commissioners have attempted to break up "graft" in the department by the removal of untrustworthy officers—and with a marked lack of success. Patrolmen, captains, inspectors have been removed without number; but the courts put them back. Inspector Adam Cross, one of the highest officials in the department, was removed in May, 1903, and put back in November, 1904,—when he was reinstated his place in the department had been filled and duties had to be created for him; he drew \$5,000 in back salary, which he never

worked for, his trial cost \$3,000 in printing alone. By a table of police removal cases, in 1904, out of 35 removals reviewed by the Courts 19 men were reinstated. The total cost of their removal and reinstatement, including back pay, was about \$100,000. In nearly all the cases the ground of reversal by the courts was that the police trials had been substantially unfair, because of bias or because of illegal evidence. It must be admitted that the temper of the Courts toward the heads of the police department has been hardly sympathetic; but these cases have been decided, and New York cannot escape from the greater wisdom of her Judiciary. There can be no question of the demoralizing effect of the workings of the present system of review by the Courts. The newspapers are full of it. Tammany Hall has declared itself in favor of the present system without change. The police officials are demanding some remedy by legislation.

Substantially similar provisions for restrictions on removal, like those of the police, exist in New York City Fire and Street Cleaning Departments, and teachers have a like right of trial, but in none of these departments has the power of court review been particularly obnoxious. It is notable that in all four departments the employees are entitled to pensions, to which in some instances they have contributed, and which they lose on dismissal.

So much for past experience; now for the second part: Should there be any restrictions on the power of removal?

The public service is not private service, and the example of private service does not help us. The rewards are entirely different—the public servant at the best can expect only easy work, a fair living, transitory importance and slow promotion.

Nor is the experiences of the foreign civil services of value. In nearly all the European countries the civil service is divorced from politics—here the party system is just what makes the trouble.

We have a new problem, and we have gone about solving it in a new way. Every system in the United States has now gone at least as far as to provide that

no employee in the competitive service can be removed except on stated charges and after an opportunity to explain them. It is hard to see how such a provision can hamper any honest appointing officer or injure the service. Under it the head of a department can remove any man he ought to remove, and there is no suggestion that such a restriction works substantial hardship. The question is, does it go far enough? Ought the employee to have a fair trial before removal?

The root of the question seems to be—whether we are to leave the question of removal a purely administrative and disciplinary function, or whether it is to become a quasi-judicial function. The merit system curtailed the administrative function of appointing officers; by and large we think it provides the best way of selecting public servants. One of the notable bi-products of the merit system is that it relieves the appointing officer of a vast amount of unprofitable labor in turning away and weeding out candidates. It is by no means impossible that if the removing function were turned over to an outside tribunal, that would not result in as great a saving, particularly in the civil service in cities and in large concentrated departments.

The objections usually made to this proposition of removing only after trial, and of making the question of removals quasi-judicial, are two. The first is that it injures discipline. To some extent it probably does. It has undoubtedly been injurious to the discipline of the New York police force to have the judgments of the Commissioner upset by the Courts. Yet if a trial board acts fairly, and if the head of a department puts men on trial only when he has a fair ground of complaint, that difficulty of discipline is largely minimized. It is true if the removing function is taken away from the appointing officer there can be no more removals on suspicion, or because a subordinate is out of sympathy with his superior, or because his superior is a reformer. It is a case for weighing advantages, and the little injury to discipline by and large seems less important than getting rid of political removals.

The second objection usually made to the idea of restricting the removal power by providing for a trial is more subtle. Its largeness of statement makes it hard This second objection is the theory of cento answer. tralization of power in municipal governments. Men say "give broad powers to the heads of departments, do not limit them, concentrate the power but at the same time concentrate the responsibility and charge the head with the results of his administration, good or bad." But it is not clear that that doctrine of concentration of power has any application to this question. Even with an outside trial board the appointing officer has still at his command a reasonably workable way of ridding his department of incompetents, without delay and without considerable trouble.

I do not feel the force of the argument that taking away a certain part of his work should make him less efficient in the rest, nor that the power of removing, in person, is a power which the appointing officer in a large department needs. The merit system took away the appointing power. That must have worked against the theory of concentration of power and responsibility. Surely the removing power is less important.

There seems no reason, then, why laws providing for removals in the public service only after a fair trial are in any way necessarily hostile to an efficient civil service, nor any reason why this association should oppose such laws on principle. True such laws are not always necessary.

The Federal Service as now run provides a reasonable tenure of office, and its elastic system is perfectly capable of taking care of political removals if properly enforced. But that system is peculiar; first the executive is upright and believes in the law; second, he has the power to compel the appointing officers to live up to his regulations on removals, and a powerful body of men who hold public respect are constantly investigating and reporting to him, composing a continuous and stable tribunal to whom a man with a complaint can go and get a fair hearing.

In the State service outside of cities, too, though the question is less clear, it seems the trial restrictions may well be unnecessary and impracticable. Distances are greater, forces smaller, more intimate relations of policy between the heads of departments and their subordinates may be necessary, there are as yet no pensions in those services. In such cases it seems an open question where we have no sufficient experience to decide. But the city services—particularly the uniformed departments of the large cities—where political removals are flagrant and the question is immediately before the public, it seems some trial restriction is necessary.

Then the last question, what is the best form of this tribunal in the service in cities and in concentrated de-

partments?

Take the concrete case of the New York Police Department. What method of trial shall we recommend there? To allow the question of removal to rest solely in the hands of a political police commissioner, however honest, who is to be accuser and judge, without review, goes so far against the sense of fair play in the community that no such law can be passed in New York. The courts are not capable of the work—that is proved; besides there are no intricate legal questions in such trials that the ordinary American is not lawyer enough to decide. The Chicago system is ready at hand and it seems to work well. There would be many advantages in having this trial function in the police department in New York performed by the local civil service commission, or its board, as in Chicago, rather than by a separate court it would be less expensive, the men on such boards would be likely to have a greater knowledge of administrative questions than any court. The commission would, as now, be bi-partisan, and the whole civil service, back door and front door, would be under closer observation. More, such a scheme would transform the civil service commission from a body of men without intimate connection with their duties into a board which had every opportunity to be efficient—it would add dignity and calibre to the office, and take the office out of political philanthropy. All minor and summary punishments could still be left entirely in the control of the police commissioner, he would still be in control of the question of whether or not removals should follow the judgment of the commission; he would have a minority representation on the trial board as in Chicago. The system would be elastic, it could vary its requirements for the different departments, it would be quick and inexpensive. Surely such a scheme bids fair to solve the problem in the civil service in New York and the other great cities. And it will not be surprising if the East comes to borrow many another theory of municipal government from the enterprising cities west of the Alleghenies.

Mr. VAUGHAN: On this subject of removals I want to add a word in reference to the removal law just passed in Massachusetts, by which a hearing is to be had before action. It was the result of a compromise of a great many bills presented. All minor officeholders in the various departments, police, fire, etc., desired some protection. The Civil Service Reform Association endeavored to minimize what they believed to be the evil in these bills, but were unable to prevent some bill being passed. In its final and most undesirable shape it was passed against their protest and failed of a veto only because they failed to convince the Governor that it should receive one. Yet, in spite of this, it has been considered a bill which the Association wanted. What I arose to state was the result of its working in one year. The officials had no idea that it was coming-it was truly unexpected by them-and under it they find it difficult to get rid of incompetents—indeed it is almost impossible to administer their offices in some cases. They are simply unable to make the removals which they think ought to be made and the testimony has been that while, before this law, there were certain cases of removals that ought not to have been made, there were at least two men kept improperly to one man removed improperly. The general result has been that the law is so much disliked

that I think there may possibly be a movement made this year to repeal it.

MR. LYMAN: I would like to say for the encouragement of those here who are interested in the faithful execution of the provisions of the civil service rule—and I say it without any fear of contradiction whatever—that for a number of years the question of removal for political reasons has been absolutely eliminated from the Treasury Department in Washington.

Political Assessments and Offensive Partisanship on the part of Office-Holders.

ROBERT D. JENKS.

THE Civil Service Reform movement has for two of its main objects the increase in efficiency of public employees and the elimination of political considerations in their selection, retention and promotion. Both of these results have, to a large measure, been attained in the Federal service, but there still remain certain minor weaknesses in the walls which protect our offices from the attacks of the spoilsmen. This paper has been prepared with a view to examining two of these danger spots and suggesting how the assaults of the enemy may be met and overcome.

The Civil Service Act of 1883 prohibits any employe of the United States from directly or indirectly soliciting or receiving, or being in any manner concerned with soliciting or receiving from any other employe of the United States any assessment or contribution for any political purpose whatever. The enforcement of this statute has done much to put a stop to the levying of political assessments, but the fact remains that at least in certain parts of the country thousands of employes believe that in order to secure promotions or even to retain their places it is absolutely necessary to make liberal payments, entitled by courtesy "voluntary contributions," to the funds of the dominant party. It is obvious that the very existence of such a belief is sufficient to undermine the discipline of an office, and thus to cripple the efficiency of the service.

A brief examination of a recent case in Philadelphia will serve by its vividness to make clear some of the evils

connected with the levying of political assessments, as well as the glaring effrontry of certain political leaders. Charges were filed by the Pennsylvania Association against a finance clerk in the Philadelphia Post Office, alleging that he had been concerned in collecting contributions for political purposes from other Federal employees. During the resulting investigation it was proved that almost all the postal clerks and carriers residing in the Twenty-eighth Ward had received a circular letter from the Republican Committee suggesting that the recipients "look after the assessment of those whose duty it is to make a voluntary contribution; not alone office holders, but many citizens and business men who receive substantial favors from the Republican organization." The circular further asked for the following information with regard to all other office holders residing in the same election precinct: "As an Organization Worker, what use is he? If no use, what hustler in your Division would you recommend for his place? As a Voluntary Contributor, are his contributions the amount suggested? Does he contribute appreciatively, begrudgingly, defiantly, or ignore the Organization altogether?"

This remarkable document, after intimating that only those who were acceptable to the Organization would be promoted, concluded with a suggestion that a careful record should be kept of all office holders, so that information could be furnished promptly when requested, and bore at the end the names of two city officials and one Federal employe. Upon the receipt of this notice a number of clerks and carriers made what they termed "voluntary contributions," amounting, in almost every instance, to exactly 1 per cent. of their salary. A few of these men were doubtless glad to contribute, but the majority evidently handed in their money because of their belief that they could thereby secure immunity from future persecution. In the same office the Postmaster, only a few months before had been found guilty of assigning Democrats to unusually arduous routes in an apparent effort to induce them to join the Republican party, so, possibly, those who later surrendered their "voluntary contributions" felt that the facts justified these payments as insurance money. Whether their thought as to the future was well founded is, for the present, immaterial, but it is important to reflect on the ultimate demoralization of the service from the very existence of such a belief, corroborated by past circumstantial evidence of its soundness. Because one of the persons whose name appeared on this circular was a United States employe, the Civil Service Commission had jurisdiction to investigate and to secure the dismissal of the offender. It is, however, probable that even although the names of only city clerks had appeared on the circular, its receipt would have been almost equally potent in stimulating the "involuntary" generosity of the recipients. It is unnecessary to dwell on the interference with discipline and the resulting decrease in the efficiency of the service, which follows from the belief that official preferment can be bought by partisan contributions. What is the remedy?

One suggestion is that every officeholder ought to be. prohibited from making contributions to any one for any political purpose. This is very drastic, for it restricts not only the manner in which a man may spend his money, but also limits the purposes to which he may apply it. If there were a certainty that this would put an end to the evil, there might be such a necessity as would justify such a radical encroachment on individual liberty. But we can have no such assurance. For example, the effect sought to be obtained could be nullified by the adoption of a simple expedient already in use in Philadelphia. officeholders in certain districts are seldom requested to make contributions for political purposes, but every one of them is expected to subscribe for tickets to some form of entertainment, either a theatrical benefit or a baseball game, conducted under the auspices of the ward organization. It is commonly understood that each officeholder is expected to take tickets to an amount equal to I per cent. of his annual salary, or in the case of laborers, to an amount equal to one day's pay. It is also the general impression among the officeholders that these entertainments, even if they are held, cost a comparatively small

sum of money, and that the balance of the fund so raised goes into the coffers of the ward organization. It is obvious that even if the officeholders were prohibited from making any contributions to any one for political purposes, schemes similar to this could readily be devised and the purpose of the law successfully evaded.

Another plan which has been suggested with a view to putting an end to this evil without restricting to an undue extent the individual liberty of public employes is to add to the present law on this subject a provision in the form of a civil service rule that no Federal officeholder shall directly or indirectly solicit or receive, or be in any manner concerned in soliciting or receiving any assessment or contribution, either voluntary or involuntary, from any employe of the United States or of any State, county, municipality or other form of local government. change proposed consists in extending the prohibition, which at present applies only to receiving contributions from United States employes, to include also the giving or receiving of contributions from any government emploves whatsoever. Would not such a plan be as effective as the complete prohibition from any political contributions? The fundamental aim of any action in this direction is not to prohibit the giving of money for political purposes, but to prevent the coercion of an employe into giving money for such purposes under a threat, either expressed or generally understood, that if he does not give the contribution asked for he will be punished by his official superior. If we adopt the amendment just suggested the result will be that no Federal employe will be able, without violating the present law or the proposed rule, to make a contribution to any political committee which has on it any officeholders. This will decrease to a very great extent the powers of such committees to compel the payment of contributions under threats of political punishment. Take for example the city of Philadelphia, where the evil of political coercion of Federal employes has probably been more prevalent during the last few years than in any other portion of the country. The ward committees of the dominant political organization are composed almost exclusively of employes of the city and State governments. These employes are able to, and do, force their official inferiors into giving political contributions. From this fact has sprung up the belief that every government employe must, under pain of official discrimination, make political contributions. If we eliminate the possibility of Federal employes giving to any committee which is composed even in part of officeholders, then either one of two results will follow. In the first place, it is quite possible that in the hope of securing the continuance of contributions from Federal employes all officeholders will resign from committees. To a very large extent the idea of official power in compelling subscriptions will be promptly dissipated. The other alternative is that local officeholders will remain on political committees. In this case a very cumbersome system of payments will have to be adopted in order to secure contributions from Federal employes, for, as discharge is certain if a Federal employe should give to such a committee, the threat of dismissal, if he does not give, will lose its effectiveness.

It is admitted that this plan can be evaded in the same way as the first one suggested, but inasmuch as the object of either plan can be defeated, if the law and rules are not rigorously enforced, is it not better to adopt that system which will least interfere with individual liberty, and at the same time protect the employes to practically the same extent?

So far we have discussed the question of political assessments. We will now consider the closely allied subject of pernicious political activity. It is generally admitted that it is unwise to allow government employes perfect freedom in political lines. The dangers of such a practice are too well known to need recounting here. It is probably desirable that at least the elective officers should be allowed to take an active part in political campaigns, and it may also be wise to permit Cabinet officers and persons in similar positions to publicly expound and defend the principles under which an administration has conducted its affairs. Beyond this it has been suggested

that the activity in politics of all those in the government service may be wisely restricted by the same order which requires that "the man in the classified service, while retaining his right to vote as he pleases and to express privately his opinions on all subjects, should not take any active part in political management or in political campaigns." There seems to be even less reason for permitting an Assistant Treasurer or a Postmaster to take an active part in political campaigns than there is for allowing their subordinates to do the same thing. In the case of the superior officers, the effect of their political activity is far more pernicious than is that of their subordinates. If a Postmaster acts as county chairman of a great party, that is an obvious hint to all his employes that they also are expected to follow his example, and, in so far as they can, without being dismissed, work for the benefit of his cause. The action of the Postmaster is furthermore an intimation that he considers political activity desirable in any man, and it is therefore at least suggestive to his employes that those who possess political influence, or those who control the votes of their neighbors, will be given preferment in their official positions.

It is manifest that there is a constantly growing desire on the part of the public that the offices of the government should be conducted on the same business principles as are those of private enterprises. Is not this a wise time to take advantage of this feeling to ask that suitable action shall be taken to prevent the waste of public time and energy now devoted to politics by many officials, even although such persons are not employed in the classified service?

The present rule as to the political activity of those in the classified service is probably broad enough, but the rule with regard to those holding unclassified positions merely requires that such officeholders must not use their offices to control political movements, must not neglect their public duties, must not cause public scandal by their activity. Is this latter rule sufficiently comprehensive? An examination of the case of William S. Lieb, the Assistant Treasurer of the United States, at Philadelphia, is suggestive. This position is not in the classified service. Mr. Lieb originally came from Schuylkill County, almost one hundred miles from Philadelphia. For several years he has been engaged in building up the Republican organization in his county. In spite of the fact that his duties are of such a nature as would seem to require the most continuous and careful attention, he continues to act as Chairman of the Executive Committee of his county, and is the acknowledged leader of the Republican party in that district. It seems superfluous to dwell on the evils resulting from such an arrangement. Mr. Lieb, in order to properly perform his duties as chairman of his county committee, is compelled to take frequent journeys to his home county. During the two semiannual campaigns he is reported by the newspapers as being there at least two or three days every week. him come the party workers who desire rewards in the shape of positions as postmasters, or similar favors. To his influence the public credits the appointment of every Federal employee from his county. And yet, in spite of these facts, it is difficult to successfully proceed against Mr. Lieb for violating the provisions of the present rule against political activity. He has not taken an open step to use his office to control political incvements, although it can hardly be doubted that with such an example before them, all his subordinates thoroughly appreciate what political action they should take. It cannot be conclusively proved that he has neglected his public duties. because every official has a certain number of days vacation allowed him during each year, and it usually happens, when an investigation is to be made, that the records of the department prove that the days spent by such an officer in conducting campaigns were either part of his allotted vacation or of special leaves of absence allowed on account of sickness, the necessity for attending a funeral or some similar reason. It might be said that Mr. Lieb's conduct constitutes a public scandal, but it is difficult to establish such a charge to the satisfaction of department officials. This phase of the subject will be

referred to at greater length later.

The case of Mr. Lieb illustrates the fact that the present rule against pernicious political activity should be broadened, for it is certain that such conduct as his must necessarily interfere with the proper conduct of his office and with the discipline of his subordinates. The present rule relating to classified employes should be extended to apply to those in the unclassified service, excepting cabinet officers and all persons such as fourth-class postmasters, who are not expected to give all their time to the government service. The latter can be brought under the same rule in the future if it is found necessary.

A matter of even more importance than the broadening of the rule against pernicious political activity is the adoption of a more adequate method for investigating charges against office-holders who have been guilty of violating the rules on this subject. The present practice is to file the charges with the department which employs the office-holder for investigation by its representatives. This plan presents many disadvantages. In the first place, the special agents have had no proper training in the investigation of political cases. Their usual line of work has been confined to determining whether the customs laws have been violated, whether postal routes are necessary, etc. To expect them to handle a case which requires a careful appreciation of political conditions with which they are unfamiliar is asking too much. Furthermore, the question of pernicious political activity is one which does not seem to particularly arouse interest on the part of the higher officials in the departments. They are naturally concerned for fear an investigation of this kind will bring them into violent contact with political leaders who will cause trouble for them in the future. The result has been that investigations of this nature have been very unsatisfactory. A striking example of this is the case of David C. Watkins, Assistant Cashier in the Philadelphia Customs House. The Pennsylvania Civil Service Reform Association filed charges with the Treasury Department, alleging that he was guilty of pernicious politi-

cal activity in Carbon County, over one hundred miles from his office. The evidence showed that Mr. Watkins had been a member of the Republican State Committee, that he had been very active in managing meetings of the County Committee of Carbon County, and that he had been prominent in the conduct of the County Convention of the republican party. In further support of its contentions, the Asociation exhibited a contract, admittedly signed by Watkins, in which he agreed to use his best efforts to have a certain man appointed postmaster at Lehighton in exchange for the delivery of votes at a convention, and also a letter signed by Watkins in which he claimed to exercise the prerogative of nominating postmasters. Other testimony showed that Watkins was "the boss" of the republican party of Carbon County. In spite of all this the Treasury Department informed the Association that the charges of pernicious political activity were not sustained. It is evident that if the conduct of Mr. Watkins outlined above does not constitute pernicious political activity, it is practically impossible to secure the punishment of any one for violations of the rule. This is possibly an extreme case, but it serves to show the unsatisfactory nature of the present method of making such investigations.

Attempts have been made from time to time to induce the Federal Civil Service Commission to exercise jurisdiction over these cases. It is submitted that such jurisdiction could properly be assumed even under the present rules, but that if these are deemed insufficient, a remedy can be had by an executive order of the President adding a rule against pernicious political activity to the other civil service rules, and directing that the charges of its violation should be investigated by the Commission. There seems to be no reason why such action should not be The present executive order against pernicious political activity is published every year in the reports of the Commission, and the attention of the heads of the departments has been called to it at various times by official communication from the Commission. Cases of its violation are usually closely allied with cases of political

assessments or the coercion of inferiors, over both of

which subjects the Commission has jurisdiction.

In view of all these facts it is extremely desirable that the Civil Service Commission be given full power and authority to investigate either upon the filing of formal charges or on its own initiative all cases of alleged pernicious political activity on the part of employes in the Federal service.

Our conclusions may be summarized as follows:-

First—That both the levying of political assessments and the exercise of excessive activity in politics of officeholders tend to demoralize the discipline of an office and

thus reduce the efficiency of the employes.

Second—That the levying of political assessments should be further checked by the adoption of a civil service rule prohibiting any employe in the Federal service from being in any way concerned in giving a contribution for a political purpose to any office-nolders employed by any form of local government, or to a committee on which such persons serve.

Third—That the present rule against pernicious political activity of classified employes should be applied,

with certain exceptions, to unclassified employes.

Fourth—That the Civil Service Commission should be given jurisdiction to investigate violations of the rule against pernicious political activity.

Address of Hon. Henry L. West.

COMMISSIONER OF THE DISTRICT OF COLUMBIA.

TO-NIGHT I make my debut in the civil service cause, not entirely converted, possibly, but still glad to be associated, even in slight degree, with a work which has been so admirably set forth by the presiding officer. Never in my life before have I been lifted to the lofty and rarefied atmosphere of what might be called the political spiritualism in which the members of the Civil Service Reform League dwell; but I felt so much interest in this occasion that I postponed until a later hour to-night the fulfillment of an engagement which would otherwise have demanded my earlier attendance. I am here because there is one side of the civil service reform movement to which in the past I have given some attention and regarding which, for five minutes, I want to say some of the things that impress themselves upon my mind.

Let me, by way of illustration, suppose that there should be established in some city, say in New York, a large mercantile establishment. It becomes necessary for the wise and profitable conduct of that business to secure men who will go out from Maine to California and solicit trade. When a man applies for work or for service in this firm he is asked numerous questions: "What is your character? Where have you been employed? What are you doing now? What do you know about these things that you are to sell? What do you know about the people to whom you are to try to sell?" Not once does the employer who is seeking the services of this salesman ask: "Are you a Democrat or a Republican?" Presenting a parallel along broader lines, let me remind you that in the heart of this great continent there is a large mercantile establishment, known as the United States, an establishment which is more and more taking its front among the manufacturing countries of the rank world. To dispose of the articles we make must send men into every corner of the earth to tell other people about them, to make it known that we can sell our products at a lower price than competing manufacturers and to supply us with information concerning the people who want to buy the things we manufacture. And yet the first question that is asked of the man who is to go abroad on this important errand is not. "What do you know about the people to whom you are going? What do you know about the things that you are to sell?" but "Are you a Democrat?" or "Are you a Republican?" It seems to me that it is unnecessary to emphasize this illustration, which carries with it its own lesson.

There are two extremes of looking at things so far as this country is concerned. We can either say that our consular system is the worst in the world, or, if we are very patriotic and very blind, we will say it is the best in the world. Now it is neither—it is not the best, it is not the worst. If it is not the best, how can it be improved? We are all loval Americans, proud of our institutions and our systems, and yet I am certain that we are broad enough to look elsewhere for something that will show us how to get something better than we now possess. Let us, therefore, see what Great Britain can teach us. The English people have built up a consular service on the lines of civil service reform that is to-day the admiration of the world. foundation upon which the commerthe cial supremacy of Great Britain rests. Now what do they do in England? A man desires to enter the consular service. Before his application is entertained he must certify that he can write and speak French fluently. He must be equipped to meet anybody anywhere. If he is to go to a certain place he must know enough of the language of that place to talk with the natives and with the officials. He must not go, as our consuls do very largely, equipped only with the dialect and the peculiar idioms of their native States. He is examined, more than this, in

commercial law; he must know how to draw up a marine contract: he must be informed as to the details of marine insurance; he must know everything about British commercial and maritime law; he must, in fact, be equipped at every point to do the work to which he is assigned. He is required to spend three months in the Foreign Office to learn something about the relations of countries to each other; then he has two years' probation and finally, if his character and conduct have been developed and been shown during that time to be worthy, he gets a permanent position and in that position he remains, no matter how ministries change at home. This system is wise, it is so admirable, that one wonders why we do not adopt it without having to argue for it. done wonderful work of late years in the improvement of the consular service and yet to-day of the 331 United States consuls, consular agents and commercial agents, not including 400 subordinate agents, who are stationed at various ports and cities throughout the world to try and get trade for us, to develop our interests and help our progress, only 34 are now in office who have served under administrations of different political views. This constant change works out to a logical conclusion. A man is sent out into the world not fully equipped, but still much better equipped than formerly; he goes to a foreign port; by the time he begins to learn what the people of that country need, by the time he acquires something of their language, by the time he has communicated his information to this country and has developed a little bit of trade between the United States and that particular port, an election comes around, the consul is officially beheaded, he comes back again to this country, a new man is sent out and the treadmill goes around again, making comparatively little progress. One does not have to be a prophet to predict that we will eventually see this system changed. There is too much at stake to allow the present conditions to continue and the practical, business view must in time appeal to the men who make our laws.

I do not want in the remotest degree to discredit the American consuls abroad. I know that with wonderful

energy, ability and insight they have done a tremendous amount of work. The daily consular bulletins which are issued show that these men are trying to do everything they can; the marvel is that we have accomplished so much with such imperfect methods. We want these men, first of all, to demonstrate by an examination that they are equipped for these consular positions, and then when they have entered upon their duties we want them to feel that efficient service, development of character, good conduct, and aptitude for their work will insure them their places in the consular service as long as they merit retention. Some of these days we are going to see that system adopted and I am sure that I voice the feeling of this splendid gathering to-night when I express the hope that that day may soon arrive.

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Address of James T. Dubois.

CONSIDER it a signal honor to address even briefly an audience composed of persons whose sole and unselfish purpose is to uplift and make good the civil service of this country, and I shall be brief in what I say because I do not care to put myself in the position the poor wife was put by her husband when her son came home from school one day bearing a card, upon which the teacher had written these words: "Your boy talks too much." When the father read it he smiled and sent the card back to the teacher, writing under it these words: "Great heavens, but you ought to hear his mother." Now sometime ago some of my enthusiastic friends thought that I ought to stand for Congress. One day an old gentleman, who knew more about political wire pulling than he did about the use and application of English words, came to me and said: "Dubois, we want you to run for Congress and you ought to run." I said to him: "I have no qualifications or ability for a Congressman, and I don't want to run," to which he replied: "My dear sir, qualifications and abilities aint got nothing to do with it, we often send very ordinary and very common men to Congress and now is iest as good a time for you to run as any."

My friends, the time was but it exists no longer, when "qualifications and ability aint got nothing to do with it," and the present, especially under this administration, is no longer the time when it is just as good a time as any to run for office. Those days are happily passed and that condition has in a large measure been forced into still life by just such powerful influences as have been exerted by this great Civil Service Reform League which is represented in such a distinguished and happy manner here

to-night.

Now the question is, is the consular field an important one? In a few words let us see.

To-day, whenever some of the foreign nations commence to give a list of their debts, they fill up their ink bottles, while we find ourselves a nation of industrial and agricultural giants, possessing a wealth aggregating one hundred thousand millions of dollars; producing eighttenths of all the world's cotton and corn; one-quarter of all its wheat; two-fifths of all its steel and iron; one-third of all its coal; one third of all its meat; more gold and silver than any other country; more manufactured products than England, France and Germany combined; while to-day Europeans are consuming a large proportion of the American meats and American wheat; Swiss cavalry horses are sleeping upon American straw; German cattle are eating American hay; the Swiss workmen, living in the heart of the great Swiss watch industry are wearing watches in American nickel cases, 82,000 of which were sent to Switzerland in one year. In the shoe windows of Europe we find thousands of American shoes carry little American flags because it helps them to sell. In the open market place you see our agricultural implements; on the highways you find our bicycles and to-day all Europe is looking to America for the coming perfect automobile. in less than twenty years has this nation trod the path of national and international greatness with the strides of a, giant until the Princes of the earth bow not only before our industrial but our diplomatic presence, because this nation has successfully and peacefully extended its influence, its glory and its products around the world until to-day, when the President of the United States voices, through his great Secretary of State, John Hay, sentiments of international rights, his words are listened to with profound respect and attention in the council chambers of the world, and this, my friends, makes the work of the American consul abroad of supreme importance.

I know it is said that the American Consular Service is already the best in the world, but what we want to do is to make it pre-eminently the best, and I think we can do that by organizing the present Consular Service upon broad lines, first by retaining all of its virtues and destroying all of its vices. If asked what its vices are I would say, first, its pernicious fee system; second, its uncertain

tenure of office; third, its inadequate and badly arranged salaries; fourth, and what I consider the most important of all, the startling number of foreigners that are to-day holding positions in the American Consular Service. Now. how can we remedy these things? Well, in the first place, cover all of the unofficial and official fees into the Treasury of the United States, which would give an amount sufficient to pay the entire Consular Service every year; second, grade and classify the Consular Service, sift out the incapables from the capables and fill all vacancies with capables, give to each American consul a fair compensation for his work, and so frame the law that every American consular officer who makes a honorable and useful record will be shielded against the common practice of being removed like an outcast upon the political change of every administration; and, third, and what I consider the most important is this: To-day 567 gentlemen of foreign birth and foreign citizenship are holding places in the American Consular Service, 80 per cent. of whom have no sympathy whatever with our institutions and our policies, and 70 per cent. of whom, from natural causes, are absolutely opposed to the expansion of American trade. To-day 200 foreigners occupy consular agencies out of a total of 395: 120 occupy consular clerkships out of a total of 180. In Germany 60 per cent. of our vice and deputy consulships are in the hands of foreigners, while in the British Empire we have 114 vice and deputy consuls, of whom 83 belong to all kinds of nationalities except our own. One hundred and fifty important vice consulships are now in the hands of foreigners, who have free and easy access to all the secrets of trade contained in the consular offices as well as the secrets of all the invoices of their neighbors. You can readily see that this is an absolute injustice as well as being very annoying and irritating to all of the exporters who are doing business with the United States consulates. The way to remedy this thing is to fill all of these places with intelligent, industrious and tactful young Americans, upon a salary basis, and let these places become training schools from which young and capable men can be moved up into higher positions.

Now, these are some of the evils existing in the Consular Service and they ought to be remedied. Thoroughlv Americanize our Consular Service and keep it Americanized, for while we must have a foreign service there is no need to have a sub-service of foreigners. I know that it is often claimed that you cannot get Americans to fill these minor positions. I say the day will come when no American consular shield and no American flag will be placed above foreign soil unless representative American citizens are placed beneath them to take care of the business of the American government. If Congress will only pass the Lodge Bill, which is now before the Senate of the United States, it will remedy in a large measure these defects. If these defects are remedied it will give to the mighty commercial interests of the United States an experienced army of well disciplined American soldiers of commerce who will battle intelligently and tactfully for our share of the world's trade.

Tust one word and I am done: It has often been said that the civil service law will create dry rot in the consular corps. Well, under the present system we find evidence of dry rot from time to time. For instance, under that system you sometimes hear of an American consul reporting that "This province contains a large number of villages and detached dwellings engaged in agricultural pursuits,' you sometimes hear of an American consul who writes a love letter to his sweetheart in which he tells her that he loves her with his whole heart and spells it "hole" and "hart"; you sometimes hear of an American consul who rises in all his consular dignity, at a Fourth of July banquet, and says: "Come, boys, let us rise our glasses to the ladies and upon this university of our nation's birth, let us drink to George Washington, who was the fundament of his country." In spite of this I believe that the American consular service is the best in the world, but what we want is a consular service that is pre-eminently the best, and I think you will all agree with me that this can only be brought about by finally bringing it within the scope and influence of the civil service law.

Address of General Ellis Spear.

A^T the suggestion of your chairman, I propose to speak briefly of one of the bureaus of the Government and of the effect of the civil service reform in that bureau.

Commissioner MacFarland referred yesterday to the evil effects of the spoils system upon the community in

Washington.

Beginning in 1865, I was for twelve years an official in the Patent Office of the United States in various grades, and I know something of the working of the spoils system in the departments, and that the evils arising in the community in Washington from the enforced exodus of clerks and other officials, displaced by change of administration, were very small and temporary compared with the widespread and continuous evil effect of the spoils system in the departments. It is well known that under that system people were appointed and retained in office largely by favor. There was no competitive examination, but one that was called a "pass" examination, which was rightly named, for its purpose was to pass the applicant into the office for which he had been designated. examinations, I believe, were generally a farce. I remember one instance in which an applicant for the position of assistant examiner was asked, among other questions, what was the distance of the earth from the sun. question was probably put in to give the examination a scientific aspect. He replied that he did not know, but was sure that it was so far away that it would not interfere with the performance of his duties as an assistant examiner. He was admitted, and he probably felt quite at home with the chief clerk, who, when remonstrated with by one of his subordinates concerning an order alleged to be ultra vires, became very angry and said that he did not allow anybody to abuse him in a foreign language.

It would not be right to deny that sometimes efficient men were appointed in this manner, but efficiency was a matter of accident; in fact, people held important places in that highly technical bureau, the Patent Office, with no special qualifications whatever for their duties, and performed little or no valuable service in those places excepting the never-neglected duty of signing the pay-roll. One man, for example, was appointed in 1866 as the head of a class in that office which required legal and technical training. The proper performance of his duties involved a knowledge of patent law and involved also mechanical aptitude and training and familiarity with the routine practice of the office. He was charged with the duty of issuing patents for inventions in that class, patents representing sometimes large money values. He had under him assistants who had had some experience, and it was his business to direct and supervise these assistants and to co-operate with them in the work of the class. Of this work he was absolutely ignorant and was without the necessary aptitude and training. His previous business had been that of a reporter for the theatrical columns of a newspaper, and probably also he had been active in politics. He drew the highest pay in his class, and the work was done by his subordinates. It is easy to see how iniurious such conditions must be, and what must be the demoralizing effect upon the subordinates. It was worse than the loss to the Government in the pay given for services not rendered. This was not a solitary instance. There were many such, not all, perhaps, so bad, for men of ability and requisite training often succeeded in getting into these offices, but there was no standard, and the worst might get in. An appointment once made by political influence held good, and such influence also materially affected promotions. In questions relating to promotions, it was, of course, for the interest of the head of the department, who was personally responsible for the correct performance of the duties of his office, that the most competent men should be advanced; but he was largely swayed by outside influence. "Influence" was the magic word, and the question, "What is your influence?" was frequently asked in the discussions concerning promotions. Letters of recommendation of the clerks and subordinate officials and requests for their appointment or promotion, were carefully kept on file with the appointment clerk, and that man felt most secure who had the most and the best of such letters, and these were appealed to and considered in cases of promotion or reduction or discharge from the service.

It is easy to see how, under such conditions, there grew up a reliance upon "influence" rather than upon diligence and efficiency in the performance of the work, for the purpose of preventing displacement or of securing promotions. After a man was once in office, however good his natural abilities, the painful effect of reliance upon his friends rather than upon his own exertions continued to be felt and manifested itself in a greater or less degree according to the character of the individual. It interfered with the work, and it prevented improvement. The spirit of it is illustrated by an incident within my knowledge. A principal examiner, who had been appointed in the year 1861, was subsequently promoted, and his first assistant succeeded to his place. In announcing to the assistant the fact that he was to be so promoted, he proffered advice to the assistant as to his future conduct in the management of the class. The advice was brief and to the point, namely—"If there is any loafing to be done in the class, do it vourself."

Of the civil service reform by Presidential order under President Grant, that is to say, the "reform before the reformation," I know something, as I was for a while the examiner for the Patent Office under that order. There was an examining board of three, one representing the Indian Office, one the Pension Office and one the Patent Office. That reform was honestly enforced. Appointments were all made by competitive written examinations and without, so far as I know, the slightest pressure of outside influence or interference, and it did good work. The people introduced into the service under that order were able and well trained, and if the system had been continued the benefits would have been felt so strongly that I

think the main reform would have come much sooner than it did. The immense change wrought in the departments in Washington by the permanent establishment of civil service reform can only be appreciated by those having intimate knowledge of the conditions before the introduction of civil service reform and since. Under the old system, fit men got in by accident; under the new system, the rule has been reversed. Then it was the man with the strongest political friends; now it is the man of greatest aptitude and training for the work. That covers the whole ground. The result is that in spite of the fact that salaries are insufficient always to retain the best men, officials in that office in ability, learning and industry are so far in advance of the officials under the old system that the comparison is by contrast. The corps is now composed almost wholly of men trained in colleges and polytechnic schools, men of fine training; a great many of them are members of the bar; and although the work of that office has increased enormously in the last twenty-five or thirty years, it is to-day under so admirable a system that it is done with surprising accuracy and with reasonable promptness, vastly better than under the old system in all respects, and the men who have been introduced into that office by the new system of competitive examinations are men who will compare favorably with any body of men, in industry, in general ability and in special training required for that work. The moral effect of that movement has also indirectly affected the appointments above the classified grades —the Presidential appointments. The body of men—a fit body, has demanded a fit head, and it is no longer the case that a man is to be put at the head of that office simply because he has a political pull; he must be a man fitted for the office.

There are some things of which I should like to speak, relating to another part which the civil service system has not yet concerned itself so much about, as it has concerned itself about getting people in. No provision has been made yet for getting people out that I know of, except by death, and they are very reluctant to die. Many people grow old in the service and are no longer useful;

that is a very common thing, and it seems cruel to turn out men who have grown old in the service, and scarcely any head of a bureau can be brought to do it. The consequence is that the civil service is often burdened with old men unfit for duty, or whose usefulness is greatly impaired. It seems a pity that something cannot be done by which these can be retired, the service relieved and the chance for promotion, which is always stimulating to young men, be greatly enlarged.

Experience and a somewhat extended observation of the operation of the existing methods of competitive examinations for appointment, leads me to speak of another

point.

However well the civil service system may be organized and officered, its efficiency and benefits will be greatly lessened, its standing impaired and its permanency imperilled, if care be not taken in the selection of those who personally conduct the examinations. These are the cutting edges of the machine.

The preparation of questions which shall test the mental qualities of the competitor, his common sense and power of discernment, which shall distinguish the wise man from the memorizer, is fine work. It requires something more mature than the green student or recent graduate. It will tax the powers of a wise, mature, experienced man.

It is a great matter that the politicians have been relieved of so large a degree of the business of making appointments to public offices; the task of doing the business better than they could do it requires unremitting and wisely directed effort.

Changes in the East Indian Service.

GEORGE R. BISHOP.

M ANY who believe in the competitive system of testing the qualifications of candidates seeking appointment in the civil service, felt much concern when, early in the year 1904, announcement was made that in India an Order of the Governor General in Council of March 11, 1904, had essentially changed the system of examination employed in that great British dependency. The apprehension was, that the order might be in derogation of the strict rules previously operative in connection with admission to the service in India.

The fear no doubt grew in part out of the knowledge that India, with its vast civil service system—the greatest, as Goldwin Smith has expressed it, that the world has ever seen; involving constantly growing cadres that now include more than two hundred thousand natives, besides the one thousand or more Englishmen in the higher ranks.—had afforded the first object lesson to the world. of the operation of the new system; that system having been introduced there, according to Molesworth, nearly twenty years before it was possible to put it into operation in England, owing to the potency of prerogative, exerted in resistance to the inauguration of the reform in England itself, though Parliament had made provision, in the same year, 1853, for its establishment at home and in the great colony. The East Indian Government had also, during the last half century, drawn lustre from the participation in it of some of England's most distinguished scholars, political philosophers and administrators; such as Dalhousie, John and Henry Lawrence, Henry Sumner Maine, Fitz James Stephen, Dufferin, A. C. Lyall, John Strachey, Lord Roberts of Kandahar,

Courtenay Ilbert and W. W. Hunter, the last of whom, in his monumental but uncompleted History of British India, in the Introduction, written at Tiflis in December, 1898, generously and hopefully saluted the United States of America on their entry upon what he called the "splendid and difficult task" they had assumed, on embarking on a career of Asiatic rule; declaring that they would be "trammelled by no Portuguese Inquisition of the sixteenth century, nor by the slave colonization of Holland in the seventeenth, nor by that cynical rule for the gain of the rulers which for a time darkened the British inquisition of India in the eighteenth," but that in the government of their dependencies they would "represent the

political conscience of the nineteenth century."

Sir Henry Maine, who went to India as Legal Member of the Supreme Council of the Governor General in 1862 and returned to England in 1869, is responsible for the declaration—in a minute dated March 16, 1868 that the British Empire in India is too novel and extraordinary to be dependent on any precedents except those which its own experience furnish; but we may add to this, that American expansion in the East must be conceded to have created conditions which closely enough resemble those found in India to justify our belief, that the conclusions arrived at, by men of the genius of Sir Henry, on many points of Colonial administration, will repay careful study on our part. While a member of the Council of the Governor General, this scholar and publicist, wearing the highest honors of Oxford and Cambridge and of learned societies in other lands than his own, discussed many questions bearing on the East Indian service, including (to specify titles) Selection and Training of Candidates for the Indian Civil Service (1875), the Educational Service (1864), Legal Education of Civil Servants (1863), and Indian Universities (1867); the last named perhaps most closely related to the recent Order in Council of any, as this order contains an elaborate discussion of educational matters, both as affecting examinations for entry into the Government Service, and the problem generally of education in India.

Indeed, this recent order—contained in a small octavo of fifty pages, printed at the government printing office in Calcutta, and for a copy of which I am indebted to the office of the Secretary of State for India-is so comprehensive and complete that the present viceroy may well feel that the production of it is one of the notably commendable pieces of work accomplished by his administration, especially if steps were at once taken to carry into practice the suggestions and principles expressed in it. It has been discussed as if on a line with the criticisms and statements made by Gen. Chesney in his "Indian Polity," concerning the lack of fitness, for administration, of the highly educated Bengalee, the man scholastically most likely to get high marks in a competitive examination, but who, as an official, would be repugnant to the more energetic and warlike races of the Western and Northwestern frontiers—toward Beluchistan, the Khyber, the Bolan, guarded by Quetta fortress, and other passes giving entrance to Afghanistan.

What the order itself contains to justify this construction of it will be quoted later (paragraph 11). It discusses the broad question of introducing an Eastern people to Western knowledge and modern methods of research, for purpose wider than merely filling up the ranks of the civil service most acceptably, however fully it recognizes the importance of obtaining for that service those who are most competent. It shows how indigenous methods of instruction had been found inadequate; how, in 1854, about four years before the government was taken out of the hands of the East India Company, the broad outlines of a comprehensive scheme of national education had been first determined on, and since filled out and extended; how, in addition to supplying the government with a succession of upright and intelligent public servants, it sought to satisfy the aspirations of students in the domains of learning and research, and to train workers in every branch of commercial enterprise that had made good its footing in the country; how it sought to teach the people to realize "that education, in the true sense, means something higher than the mere passing of

examinations—that it aims at the progressive and orderly development of all the faculties of the mind; that it should form character and teach right conduct; that it is, in fact, a preparation for the business of life." It admits that if this essential truth is not appreciated, the efforts of the government to inspire higher ideals will fail to produce substantial and enduring results. system which the English had found in India, as it prevailed among both Hindus and Mohammedans, "assigned a disproportionate importance to the training of the memory and sought to develop the critical faculties mainly by its exercising their pupils in metaphysical refinements and in fine-spun commentaries on the meaning of the texts which they had learnt by heart;"—one of the commentaries on the Rig Veda going so far as to lay down, in minute detail, the routine to be followed in committing a text-book to memory! Obviously, in introducing and promoting a different sort of learning-a knowledge of the sciences-modern learning in the Western sense,the result was not only to confer on the native of India "the vast moral and natural blessings which flow from the general diffusion of knowledge," but to "create a supply of public servants to whose probity offices of trust might with increased confidence be committed, and to promote the material interests of the country by stimulating its inhabitants to develop its vast resources." There certainly need be no hesitancy in inculcating a preference for learning that qualifies the possessor to deal actively and intelligently with problems for the improvement of agriculture, or to design and oversee engineering works, for the constructing of which India still affords a large The disadvantage to the natives of lack of scientific knowledge, especially engineering, justifies the emphasis which this order lays on the effort to extend and perfect it, and may be appreciated by remembering that on March 31, 1902, British India possessed 25,529 miles. of railways, 460 thereof opened in 1901 and 1902, while 2,284 miles additional had been sanctioned. The technical training previously afforded, mainly in the higher

forms, and to fit men for government service as engineers, mechanicians, electricians, overseers, surveyors, revenue officers or teachers in schools, and for employment in railway work shops, cotton mills and mines—such training as half a dozen or more scientific colleges had given—was, the order declared, to be supplemented by the creation of a basis, in preliminary general education of a simple and practical kind; and in promoting still higher technical training than the most advanced Indian colleges could impart, the government had "determined to give assistance, in the form of scholarships, to selected students, to enable them to pursue a course of technical education, under supervision, in Europe or America."

The importance of fitting the natives to be civil engineers, had been brought forcibly home to Sir James Thomason, who became Lieutenant Governor of what were then called the Northwestern Provinces (Oudh was later made part of the Province), in December, 1843. The Province included the great plain of India, about the upper Ganges, and contained such historic cities as Agra and Delhi. The celebrated Ganges Canal had been begun, but work on it progressed rapidly only after Thomason had devoted his most strenuous efforts to inducing the Government of India to permit the pushing of it to completion. The works, beginning at the "intake" from the Ganges at Hardwar, just below the point at which the river breaks from the lower Himalayas, to Rurki, 20 miles below, are said to exhibit more hydraulic contrivances of magnitude and difficulty than are shown in any other similar space anywhere in the world; and the completed work in its results justified the effort and expenditure involved, as the canal is more than 100 feet broad, has banks lined with beautiful shady avenues, its main trunks nearly 1,000 miles long, its laterals or branches 2,000; the water thus conducted, used to fertilize what Sir Richard Temple calls the Indian Mesopotamia, the country between the Rivers Ganges and Jumna. The engineer of the work was Sir Proby Cautley, an Englishman, but the man who made completion possible was Thomason, who, through his connection with the

work, became so impressed with the importance of training subordinate engineers for a work which must occupy years in the completion, that he established a College of Civil Engineering at Rurki for natives. The work of instruction in this institution, which was the first of its kind in India, began in tents, but was transferred to permanent structures as quickly as they could be gotten ready; and as soon as its students could be carried through the required course of instruction, it began to supply assistant engineers, overseers, sub-overseers, surveyors and draughtsmen, for the Public Works Department. Rurki, where the college was located, was made the headquarters for the construction; at that place were erected the central workshops and the foundry, in which for years the students could get practical lessons in construction on a great scale. Near the village and college was the greatest piece of work on the canal—the aqueduct built to carry the stream, 100 feet broad, across the wide, sandy channel of the Solani River—a channel at one time absolutely dry, at another carrying an impetuous mountain torrent. With a greater development in the construction of engineering works the practical character of the new Order in Council,—covering the enlargement of the highest grade of scientific and mechanical instruction, and also elementary training in the same direction in lower grade schools in order to meet a more simple but very urgent requirement,-becomes obvious. This purpose is developed in paragraph 31 of the order. Another paragraph touches on the determination of the Government to establish, at Allahabad, a training college for teachers; the revision, on a more liberal basis, of grants in aid of scholarships, and the substitution of more intelligent methods of testing efficiency than had been supplied by the more rigid system of departmental examinations that had previously prevailed. It concludes, that except in certain of the larger towns of Madras, where. like Urdu in Northern India, English serves to some extent the purpose of a lingua franca, English should have no place in the scheme of primary instruction; that in all instruction, the line of division between the use of the vernacular and of English as a medium of instruction, should be drawn at a maximum age of 13, and that in secondary schools scholars should not be allowed to abandon the use of their vernaculars at all while they remain there; that no child should be permitted to learn English as a language, without having received a thorough grounding in its mother tongue; that by means of the vernaculars, European knowledge should be brought within reach of all classes. It may be remarked, that it would seem that this object would be possible of attainment to only a moderate degree in a country in which the percentage of *illiteracy* is very large; those attending school ranging from about eight boys in one hundred of school age in the Punjab and the United Provinces, to 22

or 23 in Bombay and Bengal.

Paragraph 23 of the order refers to complaints made. that while most of the scholars in the high schools do not proceed to the Universities at all, the courses in those schools are almost exclusively preparatory to university entrance examinations; and that, recognizing the needs of boys who are destined for industrial or commercial pursuits, attempts are to be made, with greater persistence than heretofore, to introduce courses in what, in England, have been denominated "the modern side," concurrently with those on the literary side, the latter qualifying for the university and for Government employ; that though the latter courses continue to attract the majority—presumably because of the opening afforded for Government employment—the Government will not abandon their aim to give the more practical training; and that the University Commission has, concurrently, recommended that university entrance examinations be no longer acceptable as meeting the test for Government service. Further, it was the purpose of the Government to promote the extension of the use of object lessons in primary school teaching; this to counteract, if possible, the effect of a neglect to train the reasoning faculties, and to discourage the common fault in the East of excessive memorizing of mere words.

The order remarks, in paragraph 12, that examina-

tions as now understood are believed to have been unknown as an instrument of general education in ancient India, but in recent years they had grown to extravagant dimensions, dominating the whole system, with the result that all forms of training which did not admit of being tested by written examinations were liable to be neglected, and pupils were tempted to concentrate their energies not so much upon genuine study as upon the questions liable to be set by the examiners; hence, that the educational codes of the various Provinces were undergoing revision, in a way to relieve the schools and scholars from the heavy burden of recurring mechanical tests—the number of examinations preceding the university course to be henceforth limited to two. Not only the above named former conditions relating to general educational tests, but the system with reference to those to be undergone by applicants for government appointments, were to be changed.

In the ninth paragraph we find the comment, that in India the government service is regarded by the educated classes as the most assured, the most dignified and the most attractive of all careers, and that the desire on the part of students to realize these advantages as soon and colleges from filling their proper positions as places of liberal education. It had been urged that injurious effects had followed the system of selection for government service, on school and university attainments of candidates; some thought it was desirable to break off these material relations with the State and to institute separate examinations for the public service under the control of a special Board organized on the model of the English Civil Service Commission. The next paragraph indicates the inability of the Government to accept this view, as it would follow that the independent examinations would be in subjects differing from those prescribed by the university, so that two distinct courses of study would exist side by side, only one of them leading to government service; and if students undertook to compete in both, the strain of examinations, already the subject of complaint, would be further intensified, while if the greater number had in view merely government appointments, such intellectual improvement as is achieved under the existing system would be missed, educational ideals would be degraded—reacting on the character of the public service itself—and success in government examinations would become the sole standard of culture and effort. Further, it was not conceivable that independent examinations by government would be any improvement over those instituted by the universities; in which case they would be superfluous, and, if they conflicted, they would be mischievous.

The principle of competition for government appointments is commented on with much freedom in para-

graph 11, which I reproduce below:

II. The Government is in the last resort the sole "judge as to the best method of securing the type of offi-"cers which it requires for its service. It alone possesses "the requisite knowledge and experience; and by these "tests must its decision be guided. The principle of com-"petition for Government appointments was unknown in "India until a few years ago; it does not spring from the "traditions of the people, and it is without the safeguards "by which its operation is controlled in England. It sets "aside, moreover, considerations which cannot be disre-"garded by a Government whose duty it is to reconcile "the conflicting claims of diverse races, rival religions, "and varying degrees of intellectual and administrative "aptitude and adaptability. For the higher grades of "Government service there is no need to have recourse "to the system, since it is possible in most cases for the "government to accept the various University degrees "and distinctions as indicating that their holders possess "the amount of knowledge requisite to enable them to fill "particular appointments; while in the case of the more "technical departments a scrutiny of the subjects taken "up by the candidate, and of the degree of success at-"tained in each, will sufficiently indicate how far he pos-"sesses the particular knowledge and bent of mind that "his duties will demand. The Government of India are "of opinion, therefore, that special competitions should, "as a general rule, be dispensed with; and that the requi-

"site acquaintance with the laws, rules and regulations of "departments may best be attained during probationary "service, and tested after a period of such service. In "short, the Government of India hold that the multiplica-"tion of competitive tests for government service neither "results in advantage to Government nor is consistent "with the highest interests of a liberal education. In "fixing the educational standards which qualify for ap-"pointments, the natural divisions of primary, secondary, "and university education should be followed; school "and college certificates of proficiency should, so far as "possible, be accepted as full evidence of educational "qualifications, regard being paid, within the limits of "each standard, to their comparative value; and due "weight should be attached to the recorded opinions of "collegiate and school authorities regarding the profici-"ency and conduct of candidates during their period of "tiuition."

I am unable to view this paragraph otherwise than as embodying one of the most weighty opinions which the literature of civil service reform has disclosed, for many years. One of its observations—that the requisite acquaintance with the laws, rules and regulations of departments may be best attained during probationary service, and tested after a period of such service—may very well be compared with Maine's Minute on Legal Education of Civil Servants, of December 2, 1863, in which he discusses the qualifying, in a legal way, of those who go out from England to participate in the East Indian Service; his idea being that the Inns of Court, then the only body in England which undertook to give a systematic legal education, might be brought in as an aid; this being, in his opinion, preferable to bringing them to Calcutta, Madras or Bombay to "learn law badly," while they might learn it well before leaving home. It will have been observed that paragraph II suggests considerations that might be regarded as entirely compatible with those contained in General Chesney's "Indian Polity," already referred to. The difficulty, it may be added, of meeting the elaborate and varied tests imposed in England on those

who take examinations for the Indian service, and in which even high honor men from Oxford and Cambridge sometimes fail, indicates the great strain to which candidates would be subjected who sought to pass, in India, tests somewhat similar, and at the same time to meet those imposed in connection with the ordinary University courses. Presumably no Order in Council in India could directly affect examinations in England, but it might have an indirect bearing. The five East Indian Universities,—of Calcutta, Bombay, Madras, Allahabad and the Punjab University,—would seem to have been accorded, in this order, a rank and function in excess of any 35 or 40 years ago given them. In discussions in the Council of the Governor General in 1868, apprehensions were entertained by Maine,-who was the highest university authority in that body—which must have been "lived down," during the intervening 36 years. He expressed the fear, in opposing the formation of the fifth university, that the teaching force would necessarily largely constitute also the examining force, whereby examiners would often be called on to pass on the proficiency of those whom they had taught. This objection would seem to have been overcome, in the minds of the East Indian officials at Calcutta—as the Council of the Governor General is now constituted.

It is assumed that the system of examinations for promotions heretofore obtaining in the several Provinces—as I outlined it in my papers on the Colonial Civil Service—is to remain substantially as since the reorganization of the service under recommendations made by the Commission of which Sir Charles Aitchison was the head, appointed in 1886 and making its report in 1888. At any rate, there is no occasion for at present entering into a discussion of that service, so far as its system of promotions is concerned. I understand that the Order in Council which I have been discussing relates to the conditions under which entrance into the service may be made, not to promotions to higher rank within the service, for those already in it.

ORGANIZATION

OF THE

National Civil Service Reform League.

CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

With the approval of the Council the Secretary may organize Correspondence Committees, of not less than three members, for the promotion of the work of the League in localities where there is no Civil Service Reform Association;

the members of such Committees shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be

chosen, and may be removed, by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be ex-officio members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

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ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

- § 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.
- § 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.
- § 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.
- § 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.
- \S 5. The order of business at each meeting of the Council shall be:
 - The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

- 2. The admission of new Associations.
- 3. Statement of the Treasurer.
- 4. Report from the office of the Secretary.
- 5. Reports of Standing Committees.
- 6. Reports of Special Committees.
- 7. Miscellaneous business.

- § 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:
- (1) A Committee on Finance, to consist of not less than nine members;
- (2) A Committee on Publication, to consist of at least three members; and, ex-officio, the Secretary and the President of the League; and
- (3) A Committee on Law, to consist of at least four members, and, ex-officio, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occuring in any one of them may be filled by the Chairman of the Council.

- § 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:
- (1) A Committee on Nominations, to consist of six members and, ex-officio, the Chairman of the Council.
- (2) A Committee on Resolutions, to consist of six members, and, ex-officio, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

- (3) A Committee on Report and Programme, to consist of two members, and, ex-officio, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the drast of the annual report required by Article VI of the Constitution.
- § 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.

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PROCEEDINGS

AT THE ANNUAL MEETING OF

The National Civil Service Reform League

HELD AT

MILWAUKEE, WIS., DEC. 14 AND 15, 1905

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

PUBLISHED FOR THE
NATIONAL CIVIL SERVICE REFORM LEAGUE
79 WALL STREET
NEW YORK
1905

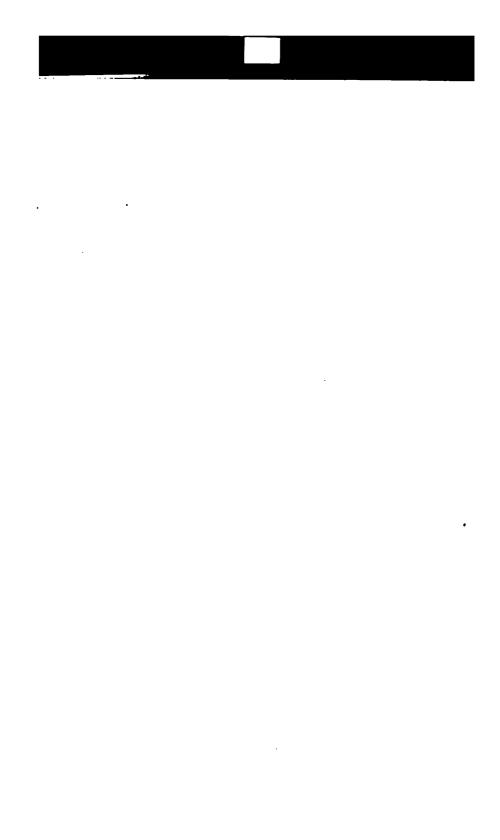
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ANNUAL MEETING

OF THE

NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 14 AND 15, 1905

PURSUANT to a call, duly issued, the Twenty-fifth Annual Meeting of the National Civil Service Reform League was held at Milwaukee, Wisconsin, the 14th and 15th of December, 1905. Delegates from Civil Service Reform Associations and Auxiliaries in attendance during the several sessions were the following:

BUFFALO: Walter J. Shepard, Ansley Wilcox.

CAMBRIDGE: Richard Henry Dana, W. W. Vaughan.

CHICAGO: James S. Handy, W. B. Moulton, Merritt Starr, Joseph Mason.

CINCINNATI: Max B. May.

CONNECTICUT: Dr. Amos P. Wilder.

Indiana: Harry J Milligan, Lucius B. Swift.

MASSACHUSETTS: Richard Henry Dana, Samuel Y. Nash, W. W. Vaughan.

NEW YORK: Hon. A. W. Cooley, Elliot H Goodwin, J. A. Gwynne, Henry W. Hardon, Albert de Roode.

WISCONSIN: Irving M. Bean, John A. Butler, Glenway Maxon, Charles G. Stearn.

WOMEN'S AUXILIARY OF MASSACHUSETTS: Miss Ellen C. Sabin.

In response to invitations issued by the League to municipal reform associations and to other bodies interested in the reform of the civil service, delegates were present from a number of such organizations as follows:

CITY CLUB OF NEW YORK: Elliot H. Goodwin.

GOOD GOVERNMENT CLUB OF CAMBRIDGE: Richard Henry Dana.

MASSACHUSETTS REFORM CLUB: Samuel Y. Nash.

OUTDOOR ART ASSOCIATION: Miss Grace Young.

Voters' Municipal League of Minneapolis: Stiles P. Jones.

INVITED GUESTS: Hon. A. W. Cooley, Hon. Ernest Warner, General F. C. Winckler, Hon. Samuel E. Sparling, Professor John A. Fairlie, Joseph C. Mason, Charles S. Fowler, John C. Birdseye.

MEETINGS OF THE LEAGUE.

THE headquarters of the League during the period of the meeting were at the Hotel Pfister, Milwaukee, Wisconsin. The proceedings at the several general sessions of the League, commencing the afternoon of December 14, were as follows:

FIRST SESSION.

HOTEL PRISTER.

THURSDAY AFTERNOON, DECEMBER 14.

THE League convened at 2.30 P. M. In the absence of the President and Vice-Presidents, Mr. Richard Henry Dana, Chairman of the Council of the League, took the chair.

The minutes of the last annual meeting having been printed and distributed, the reading of the same was, on motion, omitted.

President Charles R. Van Hise, of the University of Wisconsin, delivered an address of welcome, to which Mr. Dana, on behalf of the League, made a response.²

Hon. Samuel E. Sparling, President of the Wisconsin State Civil Service Commission, read a paper entitled the Merit System in Wisconsin,³ which was followed by a brief discussion of some of the features of the Wisconsin civil service law.

Hon. William B. Moulton, President of the Illinois State Civil Service Commission, read a paper entitled Civil Service Reform in Illinois.⁴

Printed in full 'at page 94; "at page 97; "at page 100; 'at page 114.

In the absence of Mr. A. O. Harrison, the Secretary of the Kansas City Civic League, and of Hon. F. J. Chamberlin, of the Civil Service Commission of Denver, their papers entitled respectively, Kansas City and Civil Service Reform, and The Progress of Civil Service Reform in Colorado,² were, upon motion, ordered to be printed in the proceedings of the meeting.

The Chairman then asked Mr. Stiles P. Jones, Secretary of the Voters' League of Minneapolis, to speak on the progress that had been made in that city under the present administration toward the placing of ap-

pointments to office on a basis of merit.

Mr. Jones:

I can give no very cheerful news from Minneapolis of accomplishment or effort toward civil service reform, either in city or State administration. There is this encouraging feature, however, that the conditions for agitation of the subject, looking to practical results in the future, are certainly more favorable than at any time within my knowledge. Sentiment for higher standards of municipal performance in Minneapolis is making very satisfactory progress. The people are getting constantly more out of sorts with the inefficiency and demoralization accompanying the present partisan and political administration of city business, and I can see the time coming when they will welcome the addition of some measure of civil service regulation in the management of the details of local government.

Partisanship and party fealty are abating much in intensity in Minneapolis, in part through the working of the direct primary system—in effect in Minneapolis for the past six years and in the State for four years. The voters are taking a more business-like attitude in the selection of their municipal servants. Civil service regulations, covering the operation of some of the city departments, is the next natural and logical step.

Some effort has already been made to this end. A civil service clause making practical application of the system to the police and fire departments was incorporated in two proposed city charters submitted to the people, the last time in the election of 1904. In each instance, however, the new charter failed to receive the necessary number of votes to put it into effect, a result due only remotely, if at all, to the presence of the civil service section. The charters were defeated for quite other reasons. At the fall election of 1906 the charter proposition will undoubtedly be placed before the people again, this time in a more simple form, and there is good reason to believe that it will carry. In that event the city will get at least the privilege of home rule, and it can at subsequent elections make the desired changes in the present charter, in detail, as the necessity demands. I am now inclined to believe that civil service reform will have to come through this somewhat slow and devious process; that the initiative must come from the people, or, at any rate, from agencies outside the City Council. The Board of Aldermen could, of their own volition, formulate rules for a civil service system embracing the departments under their jurisdiction, and put the same into effect. But I do not look for any such outcome; the reform impetus will have to come from some outside source.

Minneapolis has an exaggerated form of centralized council administration. The power of administration, as well as legislation, in all departments, except the police department, is vested in the City Council. This concentration of administrative power carries with it large patronage privileges, something dearly prized by the average alderman, and which he is not likely to let go of without a mighty protest. Economically the system works for extravagance and inefficiency; politically, it is thoroughly

demoralizing.

Happily, Minneapolis has a mayor who, besides being a fearless reformer in other lines of civic activities, has the intelligence to see the absurdity of the present spoils system of management of city affairs, and the independence to point it out. He enunciated strong civil service reform sentiments in his inaugural address in January, 1905; he then made good by promptly putting his principles into practical operation in the departments under his

control, notably the police department. I think I can not do better than quote in part from that message:

In the matter of civil service, as applied to employees of a municipality, it is my purpose to embody the spirit of this unquestioned reform in reorganizing the department under my control. There seems no necessity for any argument to support this purpose, but if any were needed it can be found in a comparison of the efficiency of public servants within and without the lines of civil service protection. The time is not far distant when a fully developed system of civil service will be in force in all the municipalities of this country, as it now is in New York, Chicago, San Francisco and other lesser cities. I know of no better time than now, and no better place than this to begin to lay the foundation of this reform. Two years ago, while I was acting mayor, something was done along this line, but a great deal more lies at hand to do, and while I shall not attempt to outline an elaborate system I shall, as soon as possible, put into operation some simple and practicable civil service rules and regulations, which will provide for a physical examination and a mental test sufficient to ascertain if an applicant knows what his duties are and is reasonably fitted to perform them.

A maximum age limit will be maintained, both with reference to new applications and to retirement from the force. This method will practically eliminate partisan influences from determining appointments, and will give all citizens an equal opportunity to be considered, regardless of their nationality or party

affiliations.

. Efficient service previously rendered to the city will be accepted as a credit in determining the qualifications of an applicant

A term of probationary service before final appointment will always be required, and no removal will be made without grant-

ing the officer to be retired a hearing in his own behalf.

The younger efficient men and officers of the force should be given a chance, and services well and faithfully performed must be rewarded with recognition, through promotion or otherwise, before the age limit is reached. Officers of the active force who are to be retired upon the ground of advanced age, will be fitted into minor positions suitable to their age and physical condition. Until the much needed pension system is provided through a new city charter, or by legislative enactment, this seems to be the only means of honorable retirement of aged employees of the city. The plan is imperfect, and should there be a considerable number of men attaining the maximum age it might prove to be impracticable through lack of vacancies in minor places.

This discussion, and the proposal of the introduction of the merit system into the police department, suggest the query: "Is there any good reason why the City Council should not, in the same spirit, voluntarily promote civil service rules in the Fire

Department of the city, and no longer hamper its efficiency by dictating to the chief appointments and promotions upon the basis of public patronage and influence.

Mayor Jones said no more in the above message than he honestly meant, as is evidenced by his performance. For the first time in the city's history politics and political appointments have been eliminated from the management of the police department. Every man of the force understands that he stands solely on his record of honest and efficient discharge of his duties, that political pull cannot save him. The same standards are made to apply to new appointments. The men understand plainly that so long as they are in the city employ they can do no political work, for the mayor or anybody else, and that any deviation from this rule will be met with summary punishment. Naturally, the results of this policy are plainly seen in the personnel and performance of the other departments. Mayor Jones has applied the same general rule to the other department in which he has large power -the Board of Corrections and Charities.

In the fire department, while new appointments and promotions are almost invariably dictated by the aldermen, few changes in the personnel are made for any other reason than the good of the service. Public sentiment is strong enough and assertive enough in its attitude toward this branch of the local government to keep

the spoilsmen within reasonable limits.

Mr. Ansley Wilcox submitted the following report from the Civil Service Reform Association of Buffalo:

There is not much that I can add to the reports which we have presented at the last two or three meetings of the League. Our condition has remained substantially unchanged, though with some slight improvement during the past year. With excellent municipal civil service rules and a good classification of positions in our city government, and with good men on our city commissions doing their best to carry out these rules, the results have not been wholly satisfactory-first, because of lack of hearty support from the mayor; second, because of some dissensions in the city commission itself, and unjust criticism of its work which tended to undermine public confidence; and, third, because the commission has been handicapped through lack of funds and lack of clerical assistance.

In the year now ending, the old city commission of seven members went out of office, through the resignation of some of its number and the removal of others by the mayor. A new commission was appointed, made up of untried men, but in the main men of high character and good abilities. This new body started in with zeal and vigor, and has been doing better work than its more experienced predecessor, because it has worked harmoniously.

At the recent election a new mayor of Buffalo has been chosen for four years—Mr. Adam, a merchant of wide experience and large means, and a man who for several years has been devoting himself to municipal problems, working in the city councils as a member and in connection with various civic organizations. He is a thorough believer in the merit principle and understands its practical needs. We have confidence that during his term the administration of the civil service have in Buffalo will be improved. We hope that the present commission will in the main be continued, and that they will be furnished with the money and the clerical help required to do their work effectively. If so, there is no reason why we should not be able to report, a year hence and from that time on, that the working of the civil service law and rules in our city is wholly satisfactory.

Miss Ellen C. Sabin read the following report from the Women's Auxiliary to the Civil Service Reform Association of Massachusetts:

The Women's Auxiliary of the Massachusetts Civil Service Reform Association reports that the past year, the fifth of its existence, has been one of opportunity and activity. The chief object of the Auxiliary continues to be the formation of strong public opinion in favor of the merit system, and it works through its branch centres and scattered members, through the clubs of Massachusetts and those of other States, and finally through the schools.

Though no definite statistics can be obtained from our Massachusetts census, yet the experience of those interested in the subject would justify us, surely, in saying that general enlightenment on the meaning of civil service reform among our Massachusetts women is a hundred times greater than five years ago.

Since our last report to the League 115 new members have joined the Auxiliary, raising our numbers to 1.065. A most welcome gain is a ninth branch, recently formed in Springfield, which will give us a hold in the western

part of the State.

Our branches continue to be a great source of strength and satisfaction. Three or four times in the year delegates from the branches are brought into close relation with one another and our State Executive Committee at the meeting of the State Council, and in spite of occasional discouraging reports, the delegates leave with added enthusiasm and a desire to adopt the successful schemes of other branches. To record the general work of the branches from year to year means much repetition, for the same ground must be annually covered: meetings must be held, new members gained, pamphlets introduced into the schools. Last winter the study classes for the members were a special feature in several branches. In Brookline alone there were seven such classes. As a result of a very successful class in Worcester the branch is to publish a carefully prepared "Outline for the Study of Municipal Government in Relation to Civil Service Reform" which will, it is hoped, be the groundwork and incentive to many similar classes.

Our only new publication this year has been the long desired grammar school pamphlet, which we issued jointly with the New York Auxiliary through the courtesy of the latter. This "Primer of the Civil Service and the Merit System," by Miss Elizabeth Luther Cary, has completely satisfied our hope of a really effective explanation for children, and we are very grateful to the author, for we realize the difficulty of the achievement. We began the circulation of this primer chiefly in Massachusetts, and have already distributed 5.725 copies to 200 grammar schools. The demand would have been greater.

had we not felt obliged to restrict our offer of pamphlets, free of charge, to 25 copies to each school. A superintendent in one town asked for copies for 42 teachers, while a request for 600 primers came from Omaha, Nebraska. We are now beginning extensive work outside of Massachusetts. There has been a steady demand for our high school pamphlets by Mr. Edward Cary and Mr. Woodruff. A special effort in Pennsylvania has resulted in the application of 55 schools for 6,000 pamphlets. During the past year requests have come from 325 high schools and colleges, and the number of pamphlets used in our school work reaches a total of 30,000.

In addition to these, 16,000 pamphlets have been distributed to clubs and individuals. Large numbers have been supplied for meetings of the State Federations of Women's Clubs in Delaware, Kansas, Kentucky, Massa-

chusetts, Missouri, Vermont and Wisconsin.

A beautiful medal has been designed for the new York Auxiliary and ourselves by Miss Frances Grimes, who has given lavishly of time, strength and talent. Our grateful acknowledgement is due to Mr. Saint-Gaudens for the generous contribution of his invaluable criticism and inspiration to this medal, an additional example of the public-spiritedness of the sculptor, who is constantly giving his services to further the civic or artistic development of the country. Bronze replicas of this medal may be ordered by our members and clubs in Massachusetts to offer as the reward for school prize essays on civil service reform. Eight successful competitors were awarded this medal last spring, one in Worcester, the others in Brookline. The medal will be, we feel, far more valuable than any money prize in teaching the meaning both of the subject and the reward. The figure of a woman typifying the State with the impartial scales in one hand is specially timely and suggestive in this autumn of civic victories, and the words "The best shall serve the State" were written for the medal by her whose life has fulfilled them, whose death now illumines them with rays of light,— Mrs. Charles Russell Lowell.

The re-appearance in the Massachusetts Legislature of the Spanish War Veterans' Preference bill called again

for our active opposition. The signatures collected by us in protest to this bill amounted to 5,180 and represented 75 cities and towns, a striking advance to the numbers of the previous year. Later the total signatures received rose to 6,844, of which 3,484 were sent in by 107 clubs, as a result of the devoted and systematic work of the State Federation Civil Service Reform Committee. Mr. R. D. Weston Smith most kindly gave us his services as counsel at the hearing, when nearly one hundred were present to oppose the bill. The immediate and unanimous referring of it to the next General Court was the speediest and most decisive blow which the bill has yet received.

The investigation of our 21 county jails is at last completed. This work was undertaken by us to aid the Massachusetts Association in its attempt to include the county offices under the civil service law of Massachusetts.

The "Federation Bulletin" continues to be a most useful organ for the spread of short articles on civil service reform which are supplied both by ourselves and others. As the 'Bulletin," published originally for the Massachusetts Federation alone, has now become also the official journal of the General Federation of Women's Clubs as well as of the Federations of Connecticut, Rhode Island and New York, its helpfulness to our cause is constantly increasing.

The interest in the merit system shown by Mrs. Decker, President of the General Federation of Women's Clubs, has had its influence in Massachusetts as elsewhere and last year many clubs responded to her suggestion of devoting a meeting in January to the subject. It is difficult indeed to make the supply of speakers meet the demand and it is only possible through the sacrifice of personal and professional interests by Messrs. Dana, Vaughan, Brooks and Kennedy of the Massachusetts Association and through the indefatigable zeal of Miss Bacon, Mrs. Oakley, Miss Whittier and our President, Mrs. Cabot. Our Assistant Secretary, Miss Nichols, has spoken at eighteen meetings during the year.

At this Milwaukee meeting our last word must be of

one of our Executive Committee, Miss Perkins of Concord, for here in Milwaukee five years ago she made the appeal to clubwomen to take up this great cause. This beginning has already resulted in a Civil Service Reform Committee in the General Federation of Women's Clubs and in 17 State Federations, with sub-committees in 14 more. It is an illustration of the grain of mustard seed but the great flourishing of that seed must have been the blessing deserved by the consecration of spirit of her who sowed it.

Mr. Lucius B. Swift submitted the following report from the Civil Service Reform Association of Indiana:

As to Indiana there is little new to be added to the report of last year. In one respect public opinion in Indiana as regards the merit system is at present in something of a fossilized condition. It will be remembered that years ago we had a long and very bitter struggle over the misuse of our public institutions by the spoils system. No civil service law was the result of that struggle, but public opinion was so thoroughly aroused that party machines no longer dated use the public institutions as mere spoils without regard to the welfare of the inmates. Out of these circumstances has grown a practice which is in effect very near the merit system. The boards of control represent both political parties and are appointed by the governor and may, under certain conditions, be removed by him. Yet when parties change in the State government the boards are not changed, and it is now difficult to get an employee out of one of these institutions by reason of politics or to get a new employee in on the same ground. With things as they are, when we speak of the necessity of a civil service law people point to the State institutions and ask what more we can want since we already have practically the merit system. will be observed that everything is practically under the control of the governor and if sometime we should have a governor like our old friend Tom Taggart, we might get a lesson as to what a governor could do unrestrained by a civil service law. It may be that we shall have to endure the wreck and ruin which some such governor might cause before we can secure such a law. In our cities and counties generally, while there are marks of improvement, yet partisanship is still responsible for an immense amount of very bad government.

The United States grand jury has recently indicted Col. Huffman under the charge of violating the civil service law by soliciting assessments in a government building at Goshen. Col. Huffman has been one of the wheel horses of the organization and his indictment has created consternation among a large body of other wheel horses. Their indignation has centered upon the district attorney, who is himself a leader of leaders among wheel horse teams. "Can it be possible," they say, "that Joe Kealing has had Col. Huffman indicted?" Of course the district attorney only did his duty; nevertheless, Col. Huffman has publicly stated that one of his defenses will be that he was sent up north to look after campaign funds among government employees by Joe Kealing. It does not appear, however, that the district attorney advised him to violate the law.

I want to say a word about our congressmen. They are always a picturesque and interesting lot. As a rule they are able men, very largely orators, and they are all honest men. But they have been brought up in small country towns, and, generally speaking, they have never grasped the progress which has been made in matters of administrative government. Just now they are making a great outery because the President proposes to exercise his constitutional duty by selecting officers without giving them their old privilege of "naming" the men. They will get over this and they will find that they are not weaker in their respective districts by reason of this deprivation. In fact, one of them is now actually engaged in reforming the Government Printing Office. It is his first piece of reform work, and it is no exaggeration to say that he enjoys it hugely, and it is also beyond question that this work has raised him more in the estimation of his own district and of the people of the State than anything else he ever did. It is safe to say that when our congressmen begin to grow up to the times, they will grow very rapidly and will lav aside and be ashamed of the old gods.

SECOND SESSION.

HOTEL Prister,

THURSDAY EVENING, DECEMBER 14.

A T 8.30 P. M. the League reconvened at the Hotel Pfister. On invitation, Captain Irving M. Bean, the President of the State Civil Service Reform Association of Wisconsin, took the chair.

The Secretary read the following letters, received from Dr. Daniel C. Gilman, President of the League; Hon. Charles J. Bonaparte, Secretary of the Navy; and Hon. John Weaver, Mayor of Philadelphia:

Will you be so good as to present to my colleagues and friends in the National Civil Service Reform League the assurance of my regret that it will not be possible for me to attend the meeting in Milwaukee. Early that week I shall be very much engaged in the affairs of the Carnegie Institution, which holds its annual meeting on Tuesday, the twelfth, and marks out the work for the coming year.

We have every reason to congratulate ourselves on the progress of the principles and ideas which underlie our Association. Now it is desirable that these principles and ideas should be understood and accepted in every part of the country, and for that reason I am very glad that the next meeting is to be held in the State of Wisconsin which has been a leader in education and in many other important public services. I hope that other meetings will be held in other States of the interior and of the west. From my point of view it is most desirable that the principles which we recognize should be discussed and, as far as possible, adopted in many other associations than those which pertain to national affairs. Not only political action, but also the action of boards of education and of charities is now, to some extent at least, badly influenced by the endeavor to secure in appointments personal and friendly support, rather than the recognition of ability, character and fitness for the office in question. The more

widely the principles of the merit system are known and

respected, the better will it be for the country.

I ought to add that it seems to me quite time for the League to select another President, and I beg you to say to the Nominating Committee that I shall be gratified to have them choose as President of the League some one of the many gentlemen in the Council who are well qualified for the post and who are younger than I am.

Very truly yours,

D. C. GILMAN.

I hoped until the last moment to be able to go to Milwaukee, but I have in some way caught a cold which threatens to settle in my throat. I am afraid if I expose myself that I shall become so much indisposed that it will seriously interfere with my official duties. I particularly regret not to be able to go to Milwaukee, and I sincerely trust that all will appreciate that my interest in the cause has in no wise diminished.

Very truly yours,

CHARLES J. BONAPARTE.

I have your letter of the 27th and in reply thereto would say that while I appreciate the honor of the invitation and my heart is with you in the work that you are doing, it will be impossible for me to be absent from the city the length of time necessary to go to Milwaukee.

Wishing you great success at your meeting, I remain,

Yours very truly,

JOHN WEAVER.

Mr. Richard Henry Dana, Chairman of the Council, then read the annual report of the Council.¹

General Frederick C. Winckler, of Milwaukee, then made an address.

Printed in full 'at page 56.

THIRD SESSION.

HOTEL PRISTER,

FRIDAY MORNING, DECEMBER 15.

THE League reconvened at 10,30 A. M., Mr. Dana in the chair.
Mr. John A. Butler presented and read the report of the Committee on Nominations, as follows:

FOR PRESIDENT:			Detries and
Daniel C. Gilman,	•	•	Baltimore, Md.
FOR VICE PRESIDENTS:			
Joseph H. Choate,			New York, N. Y. Princeton, N. J.
Grover Cleveland,			Princeton, N. J.
Charles W. Eliot,			Cambridge, Mass.
Harry A. Garfield,			Princeton, N. J.
Arthur T. Hadley,		•	New Haven, Conn.
Henry Charles Lea,			Philadelphia.
Seth Low,			New York, N. Y.
Franklin MacVeagh,			Chicago.
George A. Pope, .		•	Baltimore.
Franklin MacVeagh, George A. Pope, . Henry C. Potter, D.D			New York N. Y.
P. J. Ryan, D.D., .			Philadelphia.
Moorfield Storey, .			Boston.
Thomas N. Strong,			Portland, Orc.
Herbert Welsh, .			Philadelphia.
FOR MEMBERS OF THE COUNCI	I		
Arthur H. Brooks.			Boston,
Richard Henry Dana,			**
Morrill Wyman, Jr.,			**
W. W. Vaughan, .			Cambridge.
William A. Aiken.			Norwich, Ct.
Henry W. Farnam, Charles C. Burlingham			New Haven.
Charles C. Burlingham	١,		New York, N. Y.
Silas W. Burt, .			44
Edward Cary, .			4.
Charles Collins, .			••
Horace E. Deming,			66
Richard Watson Gilde	۲.		66
Henry W. Hardon,			••
William G. Low, . George McAneny,			••
George McAneny,			••
Samuel H. Ordway,			••
William Potts.			1.
Carl Schurz, .			••
Edward M. Shepard,			••
Nelson S. Spencer,			••
Nelson S. Spencer, Everett P. Wheeler,			44

Frederic Almy,		Buffalo.
Henry A. Richmond,	•	"
	•	44
Ansley Wilcox,	•	5 1.1.4.1.1
George Burnham, Jr., .		Philadelphia.
Robert D. Jenks,		"
Charles Richardson, .		44
R. Francis Wood,	•	44
		46
Clinton Rogers Woodruff	·, ·	5
H. Barton Jacobs, .	•	Baltimore.
H. O. Reik,		"
John Joy Edson,		Washington, D. C.
F. L. Siddons.	•	"
	•	Cincinnati.
Charles B. Wilby, .	•	
William E. Cushing, .	•	Cleveland.
William Dudley Foulke,		Richmond, Ind.
Harry J. Milligan,		Indianapolis.
Lucius B. Swift,	•	"
	•	Ch:
William B. Moulton, .	•	Chicago.
John A. Butler,		Milwaukee.
John F Lee		St. Louis.
Henry L. McCune,	•	Kansas City, Mo.
	•	_
Henry Van Kleeck, .	•	Denver.
C. D. Willard,		Los Angeles.

It was moved and seconded that the Secretary be directed to cast one ballot for the election of the gentlemen named. The chair ruled that this could be done only by unanimous consent. No one objecting, the motion was put and was unanimously carried, the Secretary cast the ballot and announced the election of the ticket as read.

The Secretary read the annual report of the Treasurer, which was received and ordered filed.

The report of the Auditing Committee was then read, as follows:

December 14, 1905.

We have examined the within account with its vouchers for all payments and found it correct and correctly vouched, showing balance on hand of \$173.23.

W. W. VAUGHAN, SAMUEL Y. NASH, Auditing Committee.

Mr. Henry W. Hardon then presented and read the report of the Committee on Resolutions. On motion, the

Printed in full 'at page 55.

resolutions were re-read and discussed, clause by clause. Amendments offered by Mr. Merritt Starr, of Chicago, Mr. Ansley Wilcox, of Buffalo, and Mr. Richard Henry Dana, of Massachusetts, were adopted and, on motion, the following resolutions were then approved as the resolutions of the League:

Resolutions of the League.

In reviewing the events of the last year, the National Civil Service Reform League finds cause for much public satisfaction.

In the Federal service a series of executive orders has brought into the classified service various classes of public servants hitherto appointed without competitive examination. The order of March 30, 1905, extending the merit system to cashiers and finance clerks in the Post Office Department is especially noteworthy. The principle involved in the classification of such public servants is one of general application for which the League has long striven.

The League has of late years been strongly of the view that the enforcement of the merit system was not only attended by superior efficiency of the service, but that it furnished the best guarantee of the honesty of civil employees. At the annual meeting at Baltimore in 1903, it recorded the striking fact that of thirteen employees in the Post Office Department then under indictment, all were personal or political appointees and none had entered the service as the result of a competitive examination. Its view upon this subject is again confirmed by the statement in the last report of the Philippine Civil Service Board, as follows:

The board stated in its last report that nearly all officials who had been removed since the establishment of civil government in the Islands, entered the service without examination and certification by the board. Of the thirty-four subordinate officials, some of whom were defaulters, separated from the service without a good record during the nine months ended June 30, 1904, only one entered the service as a result of examination and certification by the board.

As a result of observation and experience the board has reached the conclusion that rigid and comprehensive examinations adapted to applicants with a liberal education are essential to strict integrity and a high degree of efficiency in the Philippine civil service.

Besides these extensions of the classified service, the President has struck at an ancient evil, first in requiring persons already admitted to the service as laborers but assigned to work in classified positions, to pass competitive examinations as a condition of receiving increased pay (order of March 11, 1905); second, in prohibiting such assignments for the future (letter to the Secretary of the Treasury, March 30, 1905); and third, by the recent extension and careful enforcement of the rules

relating to the Federal Labor Bureau.

The exemptions of certain positions in the classified service made by ten orders general in their nature appear to have been made for sufficient reasons, having regard solely to the efficiency of the civil service. But the League notes with apprehension the continuance of the practice of making special exemptions in favor of individuals. The League and its officers at various times and particularly in the addresses at the annual meeting at Washington in 1904, and in the annual report of the present year have pointed out the grave danger to the democratic principle of equality of opportunity in appointment as the result of competitive examination which may spring from special exemptions founded on appeals of influence or sympathy.

The League greets with satisfaction the recent executive order issued by the President at the suggestion of Mr. Root, the Secretary of State, providing for increase of the efficiency of the Consular Service by extending the methods now employed for ascertaining the qualifications of candidates by suitable examinations, and for transfers and promotions within the service on the basis of merit, and enlarging the scope of the examinations, etc. This order is accompanied by the announcement that like principles will be applied to some positions in the Diplomatic Service. The League recognizes in this action a decided step towards the abolition of the system of spoils and patronage in the foreign service of our country, for which a long struggle has been made, and confidently

believes that it will be followed by proper laws reorganizing and reclassifying the consular and diplomatic services and establishing firmly in them the merit principle of the highest type in appointment and promotion.

The League earnestly commends the attitude of the President and the Postmaster-General regarding the retention in office of fourth class postmasters during satis-

factory service.

The League regards as a precedent of important and far-reaching consequence the action of the President in dismissing from the service William S. Leib, lately Assistant Treasurer at Philadelphia, on the ground of persistent evasion of the civil service law in the matter of appointments in his office. To permit evasions of the law would be in effect to repeal it.

The League also notes with great satisfaction recent instances of the enforcement of the "pernicious political activity" order and the action of the Postmaster General in directing the Assistant Postmaster at Louisville to resign from the Republican State Committee or from his position in the United States service at his election. It regrets that a similar case arising in the Internal Revenue Department did not meet with the same disposition.

The League earnestly recommends the continued extension of the merit system to classes of civil employees not now classified, and especially to the deputy collectors of internal revenue, the retention and improvement of promotion examinations and an amendment to the rules which shall confer upon the Federal Commission jurisdiction to investigate cases of pernicious political activity by civil employees.

The League records its satisfaction in the improvement in the civil service system in the Philippines and regrets the failure to adopt a satisfactory law in Porto

Rico.

The League congratulates the country upon the appointment of Mr. Bonaparte to the Cabinet. Familiar, by many years service as member and chairman of the Council of the League, with the principles of the merit system and the public benefits which have attended its extension in the Federal service, and an earnest and

effective exponent of the advantages which will attend the further extension and strict enforcement of the law and rules, his counsel cannot fail to support and sustain the best efforts of the President towards achieving that end.

The League records its conviction that the spirit shown by the voters in the recent elections, particularly in Cincinnati, Philadelphia and New York, prepares the way for a general adoption and strict enforcement of the merit system wherever the corruption and debasing evils of boss domination are felt or threatened, for out of the power to distribute the public offices as rewards for personal or partisan services, the boss system grew, and upon that power it mainly thrives. To establish and enforce the test of merit and fitness determined by a competitive examination as the sole means of obtaining public employment is to offer equal opportunity to all citizens and in large part to prevent or destroy the corruption and misgovernment attending the boss system.

In view also of the business functions which are or may hereafter be exercised by American cities, it again emphasizes the importance of the adoption and strict enforcement of the merit system, as an indispensable condition for the successful and economical conduct of public business, and as the best means of preventing the dangers and abuses which must otherwise arise from the concentration of great financial and executive powers in the hands of a small number of officials.

For these reasons it urges the extension of the merit system to those communities where it has not vet been adopted and constant vigilance in its administration.

The Chairman announced that the reading of the report of the Committee on Consular Reform would

be postponed until the afternoon.

Mr. Vaughan then presented and read the report of the Special Committee on the subject of removals¹ in the civil service and also the following resolution adopted by the Council at its meeting of December 14, approving the report:

Resolved. That the report of the Special Committee on Removals be received and submitted to the League at its meeting of

December 15, and be it further

Resolved. That the Special Committee on Removals be continued with a request to investigate the question further and particularly with reference to the advisability and practicability of placing the virtual power of removal in the Federal service outside of Washington in local executive offices.

A discussion 1 followed the reading of the report, in which Hon. Alford W. Cooley, United States Civil Service Commissioner; Mr. Western Starr, of Chicago; Mr. Ansley Wilcox, of Buffalo; Mr. Merritt Starr, of Chicago; Mr. Shepard, of Buffalo; Mr. Charles S. Fowler, Chief Examiner of the New York State Civil Service Commission; Mr. Henry W. Hardon, of New York, and Hon. William B. Moulton, President of the Illinois State Civil Service Commission, participated.

Mr. Ansley Wilcox, of Buffalo, submitted a suggested revision ² of Rule XII. of the United States civil service rules, stating that this revision did not meet his own ideas in all respects, but was brought forward as a suggestion to improve the form of the rule without changing its substance to any great extent. Upon motion the matter was referred to the Special Committee on Removals, to report at the next meeting of the

Council.

FOURTH SESSION.

HOTEL PRISTER.

Friday Afternoon, December 15.

THE League reconvened at 3 P. M., Mr. Dana in the chair.

The report of the Special Committee on Consular Reform a was read by Hon. William B. Moulton, of Chicago. It was moved and seconded that the report be accepted and printed in the proceedings of the meeting and that the committee be continued to act along the lines laid down in the report. The motion was carried.

Printed in full 'at page 73; "at page 87; "at page 88.

The reading of reports from the Civil Service Reform Associations composing the League was then resumed, as follows:

Mr. Max B. May, for the Civil Service Reform Association of Cincinnati:

The Committee on Resolutions this morning did Cincinnati the honor to refer to it in the sweeping changes that have just taken place. It is an encouraging voice that comes from the West. For the first time in sixteen years the State of Ohio is now in a position to adopt a civil service law for the State, county and city, because the Governor-elect of that State, who will be inaugurated on the 8th day of January next, is not only a man who, as the head of a large corporation, recognizes that ability and merit should be the sole test for office, but is also a man who in his previous political career has had absolutely no connection with any boss or any machine.

The Cox machine, thanks to the efforts of the former president of the Cincinnati Municipal Reform Association, the Hon. William H. Taft, the Secretary of War, has received its death knell—at least it is hoped that the viper has been killed, not merely scotched.

I might say that the local Association is already at work on the preparation of a bill which will be submitted to the general assembly at the earliest possible moment.

The Association, immediately after the election of the city ticket, sent a letter to all the successful candidates, in which they recommended that the changes about to be made should be made slowly, if at all, and that no one should be removed from office unless such person had been guilty of what is known in the Federal law as "offensive partisanship," or otherwise connected in the upbuilding and maintenance of the Cox machine, which, as you all know, has been one of the most powerful weapons for evil in the country.

The victory at Cincinnati was non-partisan; and the great question now is, how should the people act in the absence of a civil service law?

The main official body in Cincinnati is the Board of Public Service. When a new code was adopted in 1903,

through the influence of the late Senator Hanna, who was very anxious to destroy the power of the "Johnson machine," as he called it, at Cleveland, the federal system of government which then applied at Cincinnati was abolished, and the maintenance of the streets and the repair and construction thereof, and the management of the water department, were placed in the hands of a body known as the Board of Public Service.

Now the question is, how shall they proceed in the making of appointments? They have adopted, in order probably to rid themselves of annoyance rather than for any other reason, a system of applications. They opened an office in one of the large buildings in Cincinnati which was known as an application office, and prepared a blank in which they required each person who was an applicant for office to state his name, ward, precinct, what position he wanted and the history of his career, and the names of the people that recommended him. Whether this is done with any serious intention or not of course is not known.

The local Association, as I have already stated, is now at work through its sub-committee in the preparation of a bill. The Association at Cleveland and other gentlemen throughout the State have promised their co-operation, and I think we may state with some degree of certainty, at least of hope, that when the League meets a year hence our State will be included in the reports to be had from States having civil service reform laws, and that the name of Ohio, one of the Northwest territories, will be linked with that of Wisconsin and Illinois.

There is another matter which the local Association asked me to bring up here. It is properly not a part of the duties of the Civil Service Commission, as such, to exercise any influence over Presidential appointments. More than two years ago the Association filed a complaint against the United States Marshal at Cincinnati, Mr. Fagin. The matter was taken up by the Commission and by it referred to the Department of Justice. A member of your council, who unfortunately is not present, took a personal interest in this matter and submitted a report to the Department of Justice. The Department of Justice sent an inspector, or an investigating committee,

The third matter which the Association asked me to tell you gentlemen was this: That never in the history of Ohio has there been such a sentiment in favor of appointment to office for merit only as at present exists; and if you gentlemen will give us, as we know you will, the same aid, the same encouragement that you have given to Wisconsin and to Illinois, much good will come not only in the enactment of a State law, but one for the county and municipality.

Dr. Amos P. Wilder, for the Civil Service Reform Association of Connecticut:

During the past year we are glad to record the passage of important laws in Illinois, Wisconsin and New While three States have made progress in introducing the merit system, others have halted. We must report that the legislature of the State of Connecticut has in this respect failed to live up to its opportunities. Two bills were introduced into the last legislature with reference to the merit system. One was an amendment to the charter of the city of Hartford, providing for a board of civil service commissioners and for appointments to most of the ministerial positions under the city government on the basis of an examination. The other was an amendment to the New Haven charter, providing that appointments to positions under the civil service rules should be made from among those graded highest in the competitive examination. A similar clause was in the amendment to the Hartford charter, both bills thus recognizing the principle that has been uniformly applied in the Federal service, and is also embodied in the Illinois and New Jersey laws, the meaning of which is

that, if an examination is to be really competitive, some attention must be paid by the appointing board to the relative rank of those who pass, and that, if any one is eligible who passes above a certain mark, the examination becomes a pass examination but not a competitive one. The Hartford amendment went up to the legislature with the support of the mayor and common council of the city. It was favorably reported by the Committee on Cities and Boroughs, and passed the House without a dissenting vote. It failed, however, in the Senate on account of the opposition of three senators from Hartford, who thus assumed to represent the city, but who in fact, as we believe, misrepresented both its wishes and its interests. It was understood that the fate of the New Haven amendment would depend upon that of the Hartford amendment, and it consequently failed in committee..

Old civil service reformers are not in the least discouraged by occasional set-backs of this nature. They well realize that these are but the small receding waves

in a steadily rising tide.

An important act of the Connecticut legislature is one which provides for a commission to investigate and report upon a plan for uniform municipal charters in the This is a matter which has already frequently engaged the attention of our executive committee. cannot be said that there is absolutely unanimity in the Association on the general subject of a uniform municipal code. Many think that the differences between our cities are so great that each demands a form of government peculiar to itself. But every civil service reformer must believe that in one respect there should exist complete uniformity, and that all appointments to office should be made for merit without reference to political or personal pull. It is important that our members should exert what influence they possess upon the State Charter Commission, which is an able one, in order to secure the recognition of the merit system in whatever measure they may bring forward.

Mr. William W. Vaughan, for the Civil Service Reform Association of Massachusetts: '

In a clever essay by Mr. Crothers, just published, it is stated that the word "Boston" is not so much a geographical designation as a description of a state of mind. Now, if it described my state of mind it would not be fit for public statement, because this very week, in the face of all the reform movements in the other cities of the country, Boston has, by 8,000 majority, elected a mayor who represents the spoils element, the graft principle and all the things that we do not want. Not merely that, but Mr. Curley, the gentleman who has been referred to by our chairman as a "personator" at a civil service examination, and who spent some little time in jail on that account (but who seems to be much endeared to his constituents thereby), has not only been elected a member of the Board of Aldermen, but I am told that there is every probability of his being chosen president of the Board; so that, in case of the disability or death of the mayor, Mr. Curley will succeed to his place, and become mayor of the city of Boston. As civil service reformers we can scarcely view that possibility with any great satisfaction.

However discouraging affairs may be in the city, matters in the State House do not present so melancholy an aspect. The Spanish War Veterans' Exemption bill, which is an annual attempt to destroy the civil service law, has been again defeated; and not only defeated, but in a very favorable way. The progress which has been made is worth noting. The first time that bill was presented it passed both houses and was stopped only by Governor Wolcott's veto. The second year it passed the House but was stopped in the Senate. The third year it came to a tie in the House, but the Speaker voted against it, and we were saved. The next time it passed the committee and was reported, but was defeated in the House by a majority of thirteen. And now this year it was defeated unanimously in committee and never reached the House at all. That is a most interesting tale of progress.

I want to say here that a great deal of that progress has been due to the work of the Women's Auxiliary.

They presented petitions from no less than sixty different towns in the State, and that seemed very impressive to the legislators. I have no doubt it had a great deal to do

with their unanimous report.

But while we have had nothing done against us in the legislature, yet we have ourselves gained nothing whatever. They apparently are afraid of the law and do not intend to disturb it in any way, but they have not the slightest idea of extending it. We were given leave to withdraw on the "publication of expenses" and various other matters which we wished to pass. The general result is a "stand off."

I think it is going to take us some years to gain any advance, but with the help of the Women's Auxiliary I believe we shall make that advance in the course of time.

Mr. Albert de Roode, for the Civil Service Reform Association of New York:

The New York Association has cause for gratification at the results of its activity during the past year. There have been distinct gains in securing a proper enforcement of the civil service law and a wider acceptance of its principles; abuses have been checked, if not corrected, and a beneficial publicity given to violations of the law. The Association has incurred the respect, if not always the affection, of those entrusted with the administration of the law. As the dominant political party in New York City can seldom be expected to support the principles of civil service reform, and as the extent of the service affords opportunity for numerous violations and evasions, only continued vigilance can secure appreciable gain.

In the State service there has been improvement, and it will probably continue, but the classification of positions is still unsatisfactory in that the number of exempt is disproportionate to the number of competitive places. The decisions of the courts are responsible to a great extent for this condition in the county services, but exclusive of these there are 594 exempt as against 2,777 competitive places in the State service. Until their classification is brought more into accord with the constitutional provision, that all places shall be filled through

competition where practicable, the improvement in the State service cannot be regarded as thorough.

The Association feels gratified at the appointment by Governor Higgins to a place on the State Commission of a member of our Executive Committee, R. C. E. Brown, whose able work on the Commission has contributed largely to the progress of civil service reform. In accordance with the recommendations of the Governor in his annual message, the civil service rules have been extended to the services of four additional counties where such extension was practicable. Chiefly through its secretary and its chief examiner the Commission has conducted in the various cities throughout the State, investigations into the administration of the civil service law, which have been productive of excellent results, notably the removal of the Civil Service Commission of the City of Troy for "inefficiency, incompetency, neglect of duty and violations of the civil service law and of the rules and regulations in force thereunder." This action has had an invigorating influence on the civil service throughout the various cities.

It is a matter of common knowledge that political assessments are more or less regularly levied upon State employees, particularly at the capital. Owing to the difficulty of securing adequate evidence it has been impossible heretofore to accomplish any very definite result. This year the Association was able to secure evidence of the collection of assessments in the office of the Fiscal Supervisor of the State Board of Charities. Upon the presentation of the facts to the State Commission it held an inquiry which disclosed that seven employees had each contributed an average assessment of three per cent. of his annual salary. Some of these assessments were paid by check and others in cash, mysteriously placed on an official's desk. The evidence thus collected involved the private secretary of the Fiscal Supervisor, and in one case the Fiscal Supervisor himself. Upon their request the investigation was postponed, but at the postponed hearing objection was raised as to the power of the Commission to conduct the investigation. The matter was referred to the Attorney General, who decided in favor of the Commission, whereupon writs of prohibition were served by the Fiscal Supervisor upon the Commission stopping it from proceeding further. The matter was thus brought before the courts, where it is now pending. The action of the Fiscal Supervisor in seeking to evade the investigation on a technicality in spite of the opinion of his official legal adviser is to our minds a virtual admission of his guilt, and the Association has appealed to the Governor to continue the investigation himself.

The legislative work of the Association is a most important function. During the last session of the legislature the Association kept close watch over 162 bills and took special action on over one hundred, by briefs to the various committees of the legislature, to the Mayor and to the Governor, and by appearance at hearings. Of about one hundred bills opposed by the Association, only three, not of much importance, became laws. The records of both Mayor McClellan and Governor Higgins in vetoing legislation inimical to the civil service are excellent.

Through its Correspondence Committee the Association is engaged in the effort to establish sub-committees in the various cities throughout the State to keep track of civil service matters in the respective localities. The results so far are encouraging. In many of the smaller cities public sentiment is not sufficiently alert to hold local commissions to a strict performance of their duties, and it is expected that through these committees this con-

dition may be corrected.

Toward the close of 1904 the Civil Service Commission of the City of New York was removed by the Mayor on charges preferred by the Association and a new Commission appointed which the Association had reason to believe would effect marked improvements. The new Commission accomplished an important reform in correcting the abuses existing in the re-rating of examination papers, but President Coler subsequently found it inadvisable to continue as a member of the Commission and resigned. In his place was appointed William F. Baker, not previously known to have any interest in civil service reform. The Commission as thus reorganized displayed

a hostile attitude towards the Association in denying it access to records previously open.

The hostile attitude of the Commission, its retention in office of a notoriously unfit secretary, against whom serious charges had been filed by the Association, and numerous flagrant violations of the law and rules by the Commission and other city departments, forced the Association to the belief that the civil service law was not being properly administered. Finding the Mayor unwilling to interfere with the administration of his Commission the Association, with considerable reluctance, presented the facts in its possession to the State Commission with a request that it conduct a special investigation into the civil service of New York similar to that conducted in other cities.

The investigation was undertaken, the three Commissioners sat in open session for three days for the examination of witnesses, and the secretary and the chief examiner conducted an examination of records.

The result of this investigation was a majority report by the State Commission, upholding the Association in its criticism of the Municipal Commission, and recommending radical changes in administration and the correction of specific abuses. The minority report by the Democratic member of the Commission upheld the Municipal Commission in every particular, found nothing to criticise and recommended no change, a most remarkable finding in view of the extent of the investigation and the undisputed facts disclosed thereby.

The results of the investigation were not immediate or striking, but, all things considered, were more effective than the Association had reason to expect. The majority report, drawn in a temperate and painstaking fashion, showed a thorough comprehension of the conditions in New York City and must have indicated to the Municipal Commission the intention of the State Commission to enforce a proper administration of the civil service law. The publicity given the entire matter was of undoubted benefit and improvement in methods of administration are already noted.

The character of the administration of the civil ser-

vice law in New York may best be judged from the finding of the majority report of the State Commission,

which states in its conclusion:

"The inquiry here reported has directed attention to faults in rules whose correction would make for directness and efficiency of administration. Upon the Municipal Commission lies the duty of making such corrections. Upon it also lies the duty of inquiring into the fitness of its secretary and other subordinates and into the efficiency of the organization of its examining department, with a view to replacing incapable or unworthy public servants and of introducing improved methods. It should find means for expediting the work of holding examinations, rating papers, and establishing eligible lists, in order that there may be no occasion or excuse for extended provisional appointments. It should safeguard the examinations from political or other outside interference, in order that their fairness and integrity may be above suspicion. Further disregard of the civil service rules by the Municipal Commission itself, as in the employment exempt "expert" examiners in work * * * which could be as well done by appointees from the eligible lists, in the selection of monitors by favor rather than according to the plain provision of the rules, and in the arbitrary re-rating of examination papers, would warrant the inference that opportunity is designedly given for the exercise of political or personal favoritism, and would deserve the severest condemnation. The Municipal Commission is called upon also to use its power to investigate and correct abuses in the matter of transfers, and in the appointment of laborers under titles not authorized; to discontinue the certification of accounts under titles not appropriate to the duties of the positions held; and to enforce upon all departments of the city government faithful observance of the requirement of the constitution, the law, and the rules making merit and finess the sole qualification for appointments and promotions to public office.'

The enforcement of the civil service law is an accurate index of the general policy of the chief executive of the city administration. In view of the new relation in which

Mayor McClellan stands to the people of New York as the result of his re-election by popular rather than partisan vote, and his consequent freedom from partisan obligations, the Association looks forward to a more satisfactory administration of the civil service law by the Municipal Commission, whether changed in personnel or not, after the first of the year.

Mr. John A. Butler, for the Civil Service Reform Association of Wisconsin:

The Wisconsin Association is only a little over a year old, and modesty requires that very little shall be said about what it has accomplished and perhaps too much should not be said about what it has desired to accomplish. I, however, feel justified in giving a brief outline of the general course of events which led to the establishment of the civil service reform system—the merit system—in this State, and I am very far from claiming for the State Association of Wisconsin the sole credit for that fact.

I believe it happened in the Winter of 1903 that I had the privilege of attending by invitation the Arbitration Conference in Washington. At that conference Mr. Woodruff, of Philadelphia, asked me to stop on my way back to Milwaukee to talk over the matter of a propaganda for State civil service reform in Wisconsin. I stopped over in Philadelphia and Mr. Woodruff was the medium through which the wishes of Mr. Bonaparte, Mr. William Dudley Foulke and Mr. Charles Richardson, of Philadelphia, were made known to me.

They knew that during the existence of the Municipal League in this city, some six or eight years, that organization had given to Milwaukee what is called the City Service Commission, under which all the employees of the Board of Public Works were placed on the merit basis. They accordingly thought that I, having been the president of that league, might be the channel for active work in the new enterprise; and I was told that it was desirable to have a State Civil Service Reform Association organized. I speak of this to indicate where, so far as I am aware, the first thought about civil service reform in Wisconsin originated, and that is in the ranks of the National Civil Service Reform League. I am now speak-

ing, of course, in my capacity as a member of the State Civil Service Reform Association. I returned to Milwaukee and got together eight or ten influential gentlemen and we organized informally. Nothing of particular importance was done, except that I wrote to Governor La Follette and asked him if he would give us his support, and he wrote me very cordially and said that he would certainly do so. Considerable publicity was, however, given the undertaking in the newspapers, and the idea was launched.

At the meeting of the National Municipal League at Chicago in the Spring of 1904, Mr. Elliot H. Goodwin was present. Mr. Bonaparte had written me about it in advance suggesting a conference. An informal consultation took place accordingly between the two gentlemen named and myself as to what would be the most opportune time to again take the matter up publicly, and it was decided that it should be done shortly before the session of the last legislature in this State. I see that Professor Sparling is here and I must be as truthful as I know how to be and as an imaginative reformer is capable of being, and I must admit that we demonstrated our complete incapacity to ever follow the career of politicians by publishing very conspicuously in the editorial columns of the Free Press of this city a general outline of what we thought a civil service law should comprise. It is interesting to state that the present law conforms pretty closely to the outlines then made public. A dinner was given at my house, Captain Bean and a large number of other gentlemen being present, and the work was taken up actively. We organized and we shortly found that some of the politicians (and I have nothing but words of praise for the politicians of Wisconsin who are interested in civil service reform) also had the idea of the merit system in their minds; and when we again wrote for co-operation we were told that a bill was in process of formulation. Of course we were very much pleased by that. Such competition was just the thing we wanted, and so we wrote that we would be very glad to escape the labor of preparing a bill ourselves and would turn in gladly with all the support we could secure to promote the passage of

any good bill which might be prepared. It was a very long time before the bill was completed and a copy obtainable. Finally when it was prepared and submitted to us we turned our attention to promoting its passage as far as we were able to do so, and we had the co-operation of a large number of very influential men throughout the State as officers of our Association. There were many currents of influence and presently the amusing spectacle began to be observed of both factions of the Republican party in the legislature being inclined to compete with each other to see which one should pass that bill; and not being extremely positive in our own minds that we were experts in the matter of civil service reform, or that the bill was all that it should be (some of us having been chained down to executive work of a minor character in promoting organization and thus growing more ignorant, as time went on, of principles and their application) I again consulted with Mr. Bonaparte, and the result of that was that having appeared at the inception, the National Civil Service Reform League appeared also in the Mr. Dana and Mr. Goodwin and the Hon. Mr. Cooley, Civil Service Commissioner at Washington, were invited here on the previous assurance of Mr. Bonaparte that aid would come whenever needed, and I believe they also had an invitation from some of the members of the legislature, and made addresses at a banquet in Milwaukee at which Hon. John M. Whitehead, our ablest and most influential Senator, became deeply impressed with the value of the merit system for this State. They then went to Madison and appeared before the legislature to propose some very extensive and important amendments to the bill, nearly all of which were adopted, and as a result of the combined efforts of our friends in the legislature and our friends in the National Civil Service Reform League, together with what little we were able to do ourselves, we now possess a law which some one during these sessions has been kind enough to say was a very excellent piece of legislation of its kind. There are abundant opportunities in the future for the State Civil Service Reform Association, and I think it may well address itself to the prevention of exemptions in the appointments under

the present law. I think there is nothing further to say on this subject and I am very much obliged to you for your kind attention.

The following reports were also received and ordered

printed:

From Hon. John Read, for the Civil Service Reform Association of Cambridge:

The Cambridge Civil Service Reform Association reports a continued active interest in the objects of civil service reform. The Association has a membership of 106 names, and it has been watchful of measures which threatened the efficiency of civil service laws, its members having appeared at hearings in our legislature in protest against the enactment of bills detrimental to its objects.

The Spanish War Veterans' preference bill was again presented in 1905. A large number of remonstrants, including members of our Association, protested against its enactment and the committee reported unanimously

against its passage.

The most important attack in Massachusetts on the system was the act "to prevent removal from office." Many protested against the passage of the bill, which renders it difficult to remove employees who ought not to be retained and is thus in opposition to the true spirit of the merit system, but the bill was passed and now no removals can be made without a trial. Effort will be made the coming year for the repeal of this act. The Cambridge Association holds itself ready for effective work when necessity arises.

From Mr. Robert D. Jenks, for the Civil Service Reform Association of Pennsylvania:

During the past year the Pennsylvania Association can report substantial progress in the direction of civil service reform. One of the most effective steps taken by the Mayor during the political revolution in Philadelphia in the Spring of 1905 was the removal of the former secretary of the Civil Service Board, Mr. Dance. This man had so conducted the work of the Civil Service Board, of which he was the active manager, that the entire examination system of the city had become a farce. No adequate examinations were ever held, and so many

names were certified from such examinations as did take place that it was possible for political leaders to always secure the appointment of the man they desired. The conduct of examinations was so veiled in secrecy that it was impossible for any representative of the public to ascertain in any way whether or not even the meagre commands of the city charter on the civil service reform were being carried out. The result of all these defects was that the public had completely lost faith in the administration of the civil service system.

By the removal of Mr. Dance the Mayor struck a stinging blow to the "corrupt and criminal combination masquerading" as a political organization which had arranged appointments and manipulated the office-holders for its exclusive benefit. By the appointment of the new secretary, Hon. Frank M. Riter, the Mayor proved his sincerity and won public confidence in his announced plan to build up a modern and efficient civil service system in the city. Mr. Riter was some years ago Director of Public Safety, and thus possessed a full knowledge of the practical details of the work of one of the most important departments of the city. Since he has been Secretar. of the Civil Service Board, a position which he accepte. at great personal sacrifice, public confidence in the administration of that office has been restored. No more striking proof of this could be had than the marked increase in the number of applicants for positions under the ser vice of the city. Much remains to be done to make these good results permanent, for at the present time no proper civil service rules are in existence. A new draft of rules has been prepared and will shortly be submitted by the Mayor to the Civil Service Board, which under the terms of the city charter is composed of the heads of departments themselves.

It is also satisfactory to report that to a very large extent the municipal office-holders have been freed from compulsory political assessments, which were formerly levied upon them by unscrupulous ward leaders, and the payment of which was enforced under threat of instant removal. Furthermore, much has already been done in the direction of keeping the city's employees from taking

a perniciously active part in politics. The policemen and firemen have been directed to withdraw from membership on political committees and the Mayor has announced his belief that all employees should refrain from any political activity and should be relieved from the payment of

any political contributions.

In connection with the Federal service within Pennsylvania, the Association can report on two very important cases in which it took part. Last February it presented to the President a complaint setting forth that one Clarence Meeser had been appointed a deputy collector of internal revenue and asking the President to remove him on the ground that he was morally unfit to serve in any capacity under the United States. The statement of the Association pointed out that Meeser, together with a number of other persons, had been charged with conspiracy to commit election frauds and that the election frauds referred to had been undoubtedly committed, in that at a certain election two hundred fraudulent ballots had been stuffed into a ballot box prior to the polls being opened. The Association admitted that Meeser had been tried by a jury and acquitted, but had stated that the facts surrounding this trial, coupled with the admissions of one of the defendants, which were utterly disregarded by the jury, were such as to show that there had been a grave miscarriage of justice. After a thorough investigation by the Civil Service Commission the President was convinced that the charges of the Association were well founded and summarily dismissed Meeser from the service of the United States. This action, it is hoped, has definitely stopped the attempt to use offices under the Federal government to reward political criminals who have aided by their acts the so-called "organization" which lately dominated Philadelphia politics.

The other important Federal case in which the Association took part resulted in the removal of William S. Leib, formerly Assistant Treasurer of the United States at Philadelphia. Leib had been definitely charged by the Association with pernicious political activity, with being connected, directly or indirectly, with soliciting or receiving contributions from other Federal employees and with

exhibiting a persistent desire to ignore the spirit if not the letter of the United States civil service law, in that he constantly employed various temporary appointees, although he might have made selection from the regular eligible lists. In addition, the Civil Service Commission presented evidence which was the basis of even more serious charges against Leib. After a very thorough investigation, not only by the Commission, but also by the President, Mr. Leib was dismissed from the service of the United States for a persistent disregard of the provisions of the civil service rules and for his connection with an attempted fraud by which he apparently hoped to secure the appointment of certain members of his family to positions in the Sub-Treasury.

The Association can finally report that throughout the State of Pennsylvania and particularly in the cities of Philadelphia and Pittsburg, there is a growing interest in the subject of civil service reform. At the next regular session of the legislature it will present for consideration a State civil service reform bill, and in the meantime it will conduct an active campaign which it hopes may be successful to such an extent that the legislature will pass the bill proposed by the Association.

From Mr. Charles G. Baldwin, for the Civil Service Reform Association of Maryland: (Report of the Executive Committee, May 31, 1905.)

The facts that the legislature of Maryland has not been in session during the past year, and that no complaints have been made to this committee of any failures to enforce the Federal civil service law in this State, or as to the working of the merit system in the appointments and promotions under the Police Board or Fire Commissioners or the Public School Board, have relieved this Association from any specially active duties since the last annual meeting, although existing conditions indicate that there may be more work for our successors during the next twelve months.

The Act of Assembly of 1904 creating the Sewerage Commission of the City of Baltimore and authorizing the submission to the people of the ordinance—which has since been ratified—for the issue of stock to the amount

of ten millions of dollars to defray the cost of establishing a sewerage system for the city, contains a provision that in the event of said Commision doing any part of its work by day labor, "it shall be authorized to devise, promulgate and act on such rules and regulations as will make merit and personal fitness, ascertained by some system of open competition or registration, or both, the sole test of eligibility for all positions or employments under its control, which it may see fit to embrace within the scope of said rules and regulations."

The presentation to this Sewerage Commission, when appointed, of a full statement of the many advantages and benefits to the public which may reasonably be anticipated to arise from the prompt and efficient exercise by the commission of the powers thus conferred upon it by the act, and the furnishing it with definite and reliable information as to the successful working of such rules and regulations in other cities in which they have been adopted in the construction of public works, will be a fair field for the exercise of fruitful work by the new Executive Committee to be elected at this meeting.

From Miss Anna E. H. Meyer, for the Women's Auxiliary to the Civil Service Reform Association of New York:

During the past year the New York Auxiliary has sustained a heavy blow through the death of its Vice-President and Chairman of the Executive Committee. To quote directly from a recently adopted minute:

'In the death of Mrs. Lowell the Women's Auxiliary to the Civil Service Reform Association has lost its most

loyal and distinguished member.

"In 1894 Mr. Schurz requested Mrs. Lowell to organize the Auxiliary. This she undertook but declined to be the president, modestly protesting that people were tired of seeing her name. She promised, however, to do the work, and this promise she bravely kept, coming with faithful regularity to all the meetings, disregarding the weather or her own fatigue, until last winter, when finally her health gave way.

"To these meetings Mrs. Lowell brought ideas and suggestions which she presented with ever fresh enthusiasm, impressing upon her listeners the belief that to

give much of one's time to the extension of the merit

system was one of the chief duties in life.

"In studying the story of Mrs. Lowell's life from the time when her young husband and brother were killed in the Civil War—when she consecrated her life to the cause of humanity—we are thrilled at the revelation of the purity and nobility of her character. Mrs. Lowell's absolute abnegation of self, her unique unworldliness, her tender sympathy for the neglected and suffering, her passionate desire to help those longing and struggling for liberty and independence, her burning indignation against all that was unworthy and untrue, her patriotism and civic pride, her cheerfulness, helpfulness, and especially her humility, show a nature of surpassing purity and strength, a pattern not to women alone, but to all Americans. We who have been associated with Mrs. Lowell know that her place cannot be filled, for we have lost the inspiration of our leader and our dear friend.

"We sorrow for her, but we can also pray that our Father who has called her may awaken in our hearts the high desire to be more like her, and to follow her beauti-

ful example."

We also feel that we can establish no better memorial to Mrs. Lowell than to develop and carry out along the lines and in the manner that she wished the work of the

New York Auxiliary.

The routine work of the Auxiliary has been principally of an educational character. Last January postals offering pamphlets and suggestions for work helpful to civil service reform were sent to almost one thousand women's clubs in the United States. In accordance with the requests received in answer to these postals, we have distributed about one thousand four hundred pamphlets to clubs in twenty-eight different States. Forty-five per cent. of the clubs asked for suggestions for work, and in thirteen States club women have, by personal influence with school principals, secured the introduction of about 2,011 pamphlets for use in schools.

On the first of March we issued the "Primer of the Civil Service and the Merit System," which had been written by Miss Cary. As its name implies, this pamphlet

deals with the subject in a very simple and elementary way, having been carefully adapted to the intellect of a

child of about twelve years of age.

The New York Auxiliary has long felt that the school work should be extended from the high to the elementary schools, and that the latter was really the better field for our educational work. Statistics show that among high school graduates in the United States there is only one boy to every five girls. It is evident, therefore, that a very large proportion of the future voters attend only the grammar schools, and whatever ideas they should have on the subject of good government ought to be taught them there.

In its efforts to distribute the primer to elementary schools the Auxiliary met with more success than it had anticipated. The work was begun in the New York City schools. Before May 1st there were sent to forty-one schools in the five boroughs of Greater New York 4,394 primers. One principal asked for five hundred copies in order that he might be supplied "for three years."

To Vermont and New Jersey schools there were sent respectively 687 and 473 primers, and through the co-operation of club women there were distributed to schools in California, Delaware, Kentucky, Nebraska, New York State. Pennsylvania, Vermont, Wisconsin and Wyoming 855 copies of the primer. This makes a total of 6,409 primers that were sent to elementary schools in the eight

weeks ending May 1, 1905.

This fall the school work has been continued in a wider field. In view of the fact that the annual meeting of the Association of Collegiate Alumnæ was to be held this year toward the end of November in Atlanta, that its sessions were to be attended by members of the Southern School Teachers' Association, and that one of the topics for discussion was to be the co-operation of the Collegiate Alumnæ in the work of the General Federation of Women's Clubs, of which civil service reform forms so important a part, our offer of primers was sent extensively to Southern schools. Here too we have met with prompt and enthusiastic response. In two months we have distributed to eighty-three schools in Alabama,

Georgia, Florida and North Carolina 14,329 primers. The largest number of pamphlets asked for in one day's mail was 9,050. One county superintendent in Georgia asked for 6,000 copies in order that he could distribute one to each child in the schools under his supervision. Several School Commissioners in various Southern States have sent us exhaustive lists of teachers and school officers who will be glad to co-operate with us.

In addition to the Southern schools we have sent 1,156 primers to schools in Delaware. Kentucky, Maryland, Missouri, Ohio, Pennsylvania, Vermont and Wisconsin, where the use of the pamphlet has been recommended by club women. The New York Auxiliary has also been asked to co-operate in supplying teachers in the Philip-

pines with civil service reform literature.

In all a grand total of 21,894 primers have been distributed directly for schoolroom use in fourteen States. Counting the pamphlets that have gone as samples with letters to schools and to club women, it is estimated that about 26,000 primers have been sent broadcast through the country during the last nine months.

Steps are now being taken to extend the elementary school work to institutions in Ohio, Missouri and other States in the Middle West, where there are indications of willingness to co-operate, and we hope by another year to be able to report to the League a still larger increase

in this important work.

On March 10th a large civil service reform meeting was held by the Auxiliary in conjunction with the People's Institute. About 1700 people assembled in Cooper Union to hear Messrs. Bonaparte, Dana and H. A. Garfield talk on the merit system. Mr. McAneny acted as chairman. The whole meeting was entirely satisfactory in that we seemed to reach the right kind of an audience in just the right way.

The meeting furnished indirectly a suggestion for a new line of work for the Auxiliary. In the early fall letters were accordingly sent to the head workers in about forty social settlements in New York and Brooklyn offering to send speakers to any boys' or mothers' club that would be willing to devote one meeting during the

coming winter to a consideration of the merit system. Twenty-three settlements have responded. In some we have been asked to hold two or more meetings with various clubs. Girls', boys', women's and men's clubs are all apparently interested not only in the theoretical but also in the practical side of the question. Some meetings have been held and have been very successful, from the point of view both of the size of the audience and the interest shown through the discussion that followed the talk. It is hoped that the meetings still to come will be as satisfactory to all concerned and that some real good will be accomplished in this way. The Auxiliary has to thank Messrs. Burlingham, Chapman, McAneny, McCook and Schieffelin, all of New York City, for their co-operation

and services as speakers.

These have been the main lines along which the Auxiliary has worked during the past year. Very often opportunities have come for co-operation with our sister auxiliaries or other reform associations. All these opportunities we have tried to make the most of. But on the whole, in our particular line of work, the question now is not "what to do," but "what not to do," in order that we shall not waste our means and energy. This is in itself a true step forward, and points to the fact that we need in New York and other States more sister auxiliaries who will co-operate with us along certain lines of work. The civil service reform committees of the Federated Clubs are all doing excellent work, and, through existing organizations, are accomplishing what auxiliaries could not do in years of work. Still, so far as we know, the committees in the various State Federations have not appropriations large enough to defray the expenses of very extensive or intensive work. Auxiliaries could do much in becoming publishers and agents for the distribution of pamphlets and in working up fields for the distribution of literature in their localities. This would extend the work considerably, for it is impossible for us in the East to know when and where it is best to send pamphlets in so distant a State as California, for instance. It would also help in effecting a general division and systematizing of the work for which there will eventually be a need. In Pennsylvania, for example, it appears that pamphlets for school use are now being distributed by one Civil Service Reform Association and at least two Auxiliaries. While the field is at present a large one, it is conceivable that after repeated vigorous efforts three similar organizations in one State might, in the not very distant future, easily duplicate work and thus waste much means and energy that could be saved by a little more system and be used to better advantage in other branches of our work.

From Mr. Henry Van Kleeck, for the Civil Service Reform Association of Denver:

The fifth consecutive attempt to secure the passage of a State civil service law by a Colorado Legislature failed at the hands of the Fifteenth General Assembly last spring, notwithstanding the greatly increased public sentiment which demanded its passage. This was due largely to the intensity of partisan feeling developed by the bitterly contested struggle for the governorship between Governors Peabody and Adams, which consumed most of the session. The defeat of the civil service bill was, however, principally due to the organized opposition of the professional politicians, chief among whom are the Federal office holders. Experience has repeatedly pointed to these Federal officials as being most active and influential in their opposition to the merit system. In fact, their's is the only organized opposition existing within the State. It is a question worthy of serious consideration whether it is not this same organized opposition of Federal office holders, which is retarding the progress of civil service legislation in the various States, and, if so, whether the Federal Government cannot be induced to exert its authority to prohibit the active opposition of its employees to such legislation.

The bill which was introduced in the House at the last session by the Hon. Clarence P. Dodge, of Colorado Springs, was prepared by the Denver Association, after full consultation with Mr. Elliot H. Goodwin, the Secretary of the National League. It was promptly passed by the House, with only one amendment, by the decisive vote of 46 to 14. It lingered in the Senate for weeks to be killed in the last days of the session, after a most dis-

graceful exhibition of buffoonery and self stultification on the part of senators pledged to support the bill.

The measure as introduced followed closely the Federal civil service law and those of New York and Massachusetts. It differed chiefly in providing for an examination fee, and that the first name at the head of each eligible list should be appointed to fill a vacancy. was due to the experience in Denver, where it had been found that the small latitude of choice of one out of the three highest on a list, was enough to secure the appointment of persons almost wholly of the political faith of the administration. This had a bad effect in discouraging those of opposite political beliefs from entering for the examinations. It is probable that in small communities, where the politics of individuals is easily ascertained, it will be found better to require the appointment of the highest person on the eligible lists to fill vacancies. with the usual probationary period.

The merit system has, however, a place among the statutes of Colorado regulating the selection of division irrigation engineers, where its limited application has worked beneficially. It is in fact a part of the constitution of the State, in which it was incorporated as the twentieth amendment providing for home rule for cities, adopted by a large popular vote in the fall of 1902. It is under the mandatory provisions of this amendment that the new charter of the City and County of Denver placed the Departments of Fire and Police, and of Public Works and Utilities under civil service regulations. This limited application of the merit system has worked most satisfactorily, and has made converts among the very politicians who opposed it, but who, as officials of the city government, have realized the great relief afforded them by its protection from the pressure of the office seeker. It is to be hoped that the City Council will exert the authority given it in the charter, and two years from next spring extend the system to all of the departments of the municipal government.

Public sentiment has been constantly growing throughout the State in favor of the merit system, as was amply illustrated by the organized effort which was exerted in all the principal cities of the State to secure the passage of the defeated bill. Civil Service Reform Associations exist in Denver, Colorado Springs and Boulder, while in Pueblo, Greeley and other cities, Good Government Clubs are working for the reform. There is reason for believing that the time is not far distant when Colorado will be enrolled among those intelligent States which have adopted a general application of the merit system in the selection of their public employees.

The Secretary read a telegram received from Professor Henry W. Farnam, the President of the Civil Service Reform Association of Connecticut, inviting the League to hold its next annual meeting in that State.

Mr. Ansley Wilcox, on behalf of the Civil Service Reform Association of Buffalo, presented an invitation to the League to hold its next annual meeting in Buffalo.

The following papers were then read:

The President, the United States Senate and a Merit System, Richard Henry Dana, of Boston.¹

The reading of the paper was followed by a brief discussion.²

The Relation of Civil Service Reform to Municipal Administration, Professor John A. Fairlie, of the University of Michigan.³

The reading of this paper was followed by a discussion.4

The Overthrow of the Spoils System in Philadelphia, Hon. Clinton Rogers Woodruff.⁵

In the absence of Mr. Woodruff this paper was read by the Secretary.

Mr. Henry W. Hardon presented the following resolution, which was, on motion, unanimously adopted:

Resolved. That the National Civil Service Reform League expresses to its hosts at the annual meeting at Milwaukee, to the State Civil Service Reform Association of Wisconsin, to Mr. and Mrs. Butler, to the Woman's Club of Wisconsin, to

Printed in full 'at page 127; 'at page 136; 'at page 140: 'at page 148; 'at page 152.

the Social Economics Club, and to Mr. and Mrs. Norris, its hearty thanks for their generous hospitality.

The League then adjourned.

Attest:

ELLIOT H. GOODWIN, Secretary.

A banquet to the visiting delegates was tendered by the Wisconsin Association at the Plankinton House at 8 o'clock on the evening of Friday, December 15. Captain Irving M. Bean, President of the Wisconsin Association, presided. Addresses were made by Mr. Richard Henry Dana, the Chairman of the Council of the National Civil Service Reform League; Dr. Amos P. Wilder, of Madison, Wis.; Hon. Ernest N. Warner, the introducer of the civil service bill in the Wisconsin legislature; Mr. Ansley Wilcox, the President of the Buffalo Civil Service Reform Association; Hon. Alford W. Cooley, United States Civil Service Commissioner, and Rev. Frederick Edwards, of Milwaukee.

. During the meeting of the League the delegates were tendered a reception on Thursday afternoon at the Athenaum by the Woman's Club of Wisconsin and the Social Economics Club and a luncheon on Friday by Mr. and Mrs. Charles W. Norris at their home, 1906 Grand avenue.

The members of the Council of the League were entertained at luncheon after the close of the preliminary meeting on Thursday morning by Mr. and Mrs. John A. Butler at their home, 135 Nineteenth street.

ANNUAL REPORT OF THE TREASURER.

Nover	nber 30,	1005.
Balance on hand December 1, 1904		\$312.70
RECEIPTS:		
New York C. S. R. Association	\$1.530.00	
Massachusetts C. S. R. Association	1.550.00	
Pennsylvania C S R Association	1,252.00	
Pennsylvania C. S. R. Association	235.00	
Chicago C. S. R. Association	500.00	
Cincinnati C. S. R. Association	195.00	
District of Columbia C. S. R. Association.	193.00	
Missouri C. S. R. Association	25.00	
Cambridge C. S. R. Association	65.00	
Buffalo C. S. R. Association		
Connecticut C. S. R. Association	100.00	
Indiana C. S. R. Association		•
Massachusetts Auxiliary		
Maryland Auxiliary		
New York Auxiliary	50.00	
Pamphlets sold	24.52	
Special Committee on Organization	270.00	
Total League Receipts	\$6 255 52	
Good Government Receipts		7,630.73
COOR COVERNMENT RECUIPES	1,3/5.21	7,030.73
		\$7,943.52
DISBURSEMENTS:		777510-0
Salary of Secretary	\$1,350.00	
Salaries of Clerks		
Salary of Editor of Good Government	750.00	
Salary of Clerks	1,200.00	
Rent of office	500.00	
Printing		
Postage and Stamped Envelopes		
Stationery		
Office Expenses		
Traveling Expenses		
Special Committee on Organization		
Pennsylvania Association (refund)		
Tempy villa Transcription (Termita)		
Total League Expenses	\$6,304.15	
GOOD GOVERNMENT Expenses	1.466.14	7,770.20
Balance on hand		\$173.23
E. & O. E.		•
A. S.	FRISSELL	
	Tre	asurer.

REPORT OF THE COUNCIL.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

THE most notable event of the year in the United States is the successful revolt against boss rule in politics, exemplified in so many parts of the country at once. As the inspiration to civil service reform is to free the country from the boss, this event is a source of great joy to us who have labored so long in the good cause. But with our satisfaction, there comes to all serious minded men the fear lest the people, content with victory, will lapse into inactivity. Cold weather checks the yellow fever, but is nothing to be done to prepare for the following summer? We have seen similar revolts before, with no permanent improvement. We have turned out a Tweed, and in came a Croker; out went Croker, and on moved a Murphy. We abolished some particular boss. we removed the man, but we kept the conditions which made the man what he was.

Something, then, ought to be done. The question for thoughtful men is to decide what that something is that will make the results permanent. Does that something consist in giving larger or smaller powers to the executive, or in unicameral councils, or in the presence of Cabinet ministers in Congress, or more or less self-government in cities, or in the selection of aldermen at large or by districts? The boss has flourished under each of these conditions, under Walpole in England, with ministerial presence in Parliament, and in America under every form of municipal government seriously proposed. Cities abused their power so that, at one time, the policy was to restrict self-government. Now the tendency is to enlarge it. Corruption is just as rife with single chambers as with double, long or short terms of mayors, elections of aldermen by districts or at large. Good as some of these and other measures of the sort may be, they do not

go deep enough. They do not touch the springs of action; they do not affect the motives of those who go into politics for what they can get out of politics. An analysis of the boss system, a microscopic observation of the habits of the microbe of our political epidemic, shows clearly that the boss disease is spread and fed by the misuse of the offices and of the contracts, jobs, etc., in the control of the offices.

This has been our Gospel, and never has it been better illustrated, or more clearly proved, than in the Philadelphia overturn of this year. On May 18th, the gas ordinance was passed by Councils, after most vigorous protests and appeals of the representatives of public sentiment, against the advice of Mayor Weaver, and amidst cries of "Thieves," "Robbers," "Grafters," from the spectators, by majorities of more than eight to one. machine, on the same day, flouted the power of the Mayor by defeating almost unanimously nine of his vetoes. On the 23d of May the power of the ring was broken. What had happened? Mayor Weaver, on the 23d, dismissed the Director of Public Safety and the Director of Public Works, the two greatest dispensers of patronage, and appointed in their places anti-machine men. He took away the offices from the machine, and the machine immediately collapsed. In addition to this dramatic proof of what feeds and sustains the boss system, we have the words of those who were behind Mayor Weaver in his gallant rout of Philadelphia "bosses"; which are, "The events referred to * * * * have made it absolutely clear that the success of grafters and boodlers in American cities depends upon their control of the appointments."

Now is the time to emphasize the fact that the more conspicuous evils of awarding public contracts and franchises, depositing State funds with political banks, holding up business corporations, or collecting blackmail from law breakers, are evils which have their root in the command of the army of office-holders working in politics to control nominations and elections. For who would pay blackmail to the boss or make large contributions to him, unless the boss controlled the public policies, and

how can he control these except by controlling the nominations and elections, and how does he control them except by his subservient army of office-holders, and the

added resources that this power gives him?

For the purpose of securing the extension of the merit system, this is an opportune time to call attention to the improvements in the examinations made by the various Commissions, rendering the examinations better tests of For some examples,-in the examinations for forest rangers, practical tests in the field, including shooting at targets with rifle and pistol, have been instituted. For selecting inspectors where accurate knowledge of particular kinds of goods is required, the candidates have been tested in grading, classifying, etc., actual samples of the goods they would have to inspect. Where special experience is needed for various positions, an inquiry into the past work of the candidates has tested satisfactorily the possession of such experience. Even executive and organizing ability of a high order has been secured by statements of the candidates' past experience in addition to essays on the best ways of conducting the bureau, as well as applying tests to determine the possession of the necessary scientific, or other special knowledge and train-

Within the past year the United States Civil Service Commission has filled, with the greatest success, such positions as administrative biologist and bacteriological chemist in the Department of Agriculture; chief of division of chemistry in the Public Health and Marine Hospital service; consulting engineers for sewer and water works for the Philippine service; and tariff expert in the Department of Commerce and Labor. In Massachusetts, the State Commission has provided Superintendents of Streets for some of the smaller cities. Mayor Daly of Cambridge has filled some excepted positions of heads of departments by competition, while the most conspicuous case has been the appointment by Mayor Weaver of Philadelphia, since the overturn, of the Superintendent of Streets for that great city, by competition, securing the services of an eminent and experienced engineer, who had no political backing whatsoever. This is of the utmost importance to our reform, as it shows how higher positions, now generally exempted, may be taken out of politics, even when these higher positions cannot be filled by promotion for lack of fit material in subordinate positions. Think what it means if, for the great municipal departments, we can secure heads with brains and experience, free from political pull! They may then award and enforce contracts without fear or favor, and thus the double graft of patronage and favored contracts would be stopped.

Too many of the friends of civil service reform have been unaware of these advances in the system of competitive tests, so that, when in positions of influence, they have assumed that all appointments requiring special qualifications, experience or ability must be made outside of the civil service rules. Again, the questions of restrictions on removals and regulations of promotions, which cause us so much doubt and trouble as long as heads of large offices and bureaus are appointed for politics, would go far to settle themselves if those heads were on a tenure of merit, and not of political subserviency.

It has long been believed that many positions, exempted on account of special qualifications, such for example as deputy collectors of internal revenue, have been filled on the suggestion and through the influence of the very interests to be inspected, and the positions are The recent insurance investiheld on the same tenure. gations furnish illustrations. The former insurance superintendent of New York, James F. Peirce, was attornev for the Mutual Life before appointment, and an employee of one of the officers of the Equitable was made inspector,—both to watch the very companies by whose favor they undoubtedly got and held their places.

During the past year, in the Federal civil service. there have been sixty-three cases of special exceptions by executive order as against forty-two last year. Of these sixty-three cases eleven were appointments wholly from the outside; nineteen were appointments after temporary service that had come to an end; seven were temporary appointments made permanent; seventeen were appointments to competitive after long service in non-competitive places; and nine were reinstatements. In the language of the resolutions adopted by the League at its last annual meeting, the Council "feels that it is very dangerous, except in cases of most pressing necessity, to suspend the law or rules in the case of any competitive position where the candidate is unable to show his superior merit and fitness in open competition no less than to exempt a place or class of places unnecessarily." In examining the reasons for these special exceptions several of them impress us to have been made on the basis of charity rather than merit. A striking instance of this was the re-appointment through special exemption of a letter carrier dismissed for intoxication (order of March 2, 1905). The grounds for the application for a special exemption in this case as disclosed by the record were three: first, that the letter carrier had reformed; second, that he was the father of fifteen children; and third, that the person who made the application would be "very much gratified" by the re-instatement.

Besides these sixty-three cases of special exceptions, thirty-three appointments, made from time to time in the Indian warehouse service contrary to the civil service rules, and several of them in the face of protests of the Civil Service Commission, have recently been covered into the service by the recommendation of the Commission itself. The reason stated for this is that to discharge all

these persons at once would cripple the service.

The Isthmian Canal service was classified at a time when that service was being organized. It was anticipated that so many appointments to be made at once for so distant a scene, with a varied service, would cause a great strain on the resources of the Civil Service Commission, and so it proved. Approximately 1,000 excepted appointments were made for want of eligible lists, and 105 more for which there were nominally eligibles of similar grades, but not tested for the special qualifications desired. These figures are made up to the end of October. From November 15, 1904, to July 1, 1905, only 361 regular appointments through competitive examinations were made in the Isthmian service. All the excepted

appointments were duly authorized in detail by the Commission.

Since our last report, the following positions have been added to the excepted list: In the Isthmian Canal service, judges, marshals and clerks of most of the courts, occasional court officers, such as referees, trustees, etc., notaries public, mayors, municipal secretaries, assessors of taxes, one private secretary to the governor, captains of police, detectives, corporals and privates of the police force, and all mechanical and skilled manual employees appointed regularly upon the Isthmus at \$4.00 a day or less, or \$100 a month or less, by order of January 5, 1905. It is not possible to ascertain the number of these positions. By order of April 1, 1905, positions of firemen on torpedo planters (15), and by orders of January 12, and March 30, 1905, 1,069 laborers who, in 1902, were found still performing the duties of classified employees, and who have continuously performed such duties ever since, were admitted into the lower grades of the classified service, to be promoted or transferred to higher grades only on non-competitive examination. It has been the purpose of the President and of the Civil Service Commission thoroughly to close the back door entrance into the service, so common a few years ago, that of appointing persons nominally as laborers to do clerical work. By a series of orders, this has now been most effectively done, the whole labor service being put under registration regulations in the control of the Civil Service Commission, and the auditors of the Treasury being especially warned not to pass any pay for laborers unless their employment is certified as correct by the Civil Service Commission. It seemed expedient, however, to retain in the service those who were found there in 1902, and are still performing the same class of duties.

The positions of inspectors of tobacco and tea in Chicago have recently (Nov. 18) been added to the excepted list on the recommendation of the Commission, not because of its inability to test the capacity and fitness for these positions, but practically because it has been outwitted in its attempt to enforce the law in that particular custom house through a series of temporary appointments

unduly continued and unsatisfactory examinations. It seemed better to exempt the places than allow the appointees to be included in the competitive service.

The question arises whether or not the whole method of making exceptions, and the covering in of persons improperly appointed, may not lead to a new method of evading the law, or at least a very lax enforcement of it,

which will tend to bring the law into disrepute.

On the other hand, since our last report, the following positions have been put into the competitive class: 548 in the Forestry Reserve; twenty-nine in the permanent service of the Alaska customs; ninety special agents and inspectors in the land service; 353 cashiers and finance clerks in the postoffices; and 157 in the immigration service in foreign countries contiguous to the United States, making a total of 1,127. By order of November 10, 1905, all consular positions with compensation of not less than \$1,000 a year, are to be filled by promotion or reinstatement, or upon examination after nomination, that is, by a "pass" examination, under the control of the department itself. This practically extends the previous limited order of President Cleveland to the higher positions with compensation of over \$2,500 a year; and on the same date the offices of secretary of embassy and legation were put on a similar basis. When the President and the Secretary of State, for the time being, are in favor of merit appointments, the order may be made to work well; but examinations conducted by a department to prevent itself from making appointments which it wishes to make, do not furnish a serious check, as was shown under the original order, of which this is an extension, on a change of administration. The "pass" examinations proved them to be "farce" examinations. It is hoped that the examinations may be made competitive, limited if not open, or, if the "pass" examination still remains, that it be conducted by some independent board like the Civil Service Commission. Secretary Root, to whom, we are informed, belongs in large part the credit of the extension, admits that it is only a step in the right direction. He will try to secure legislation from Congress which will permit him to put the consuls and secretaries of legation under a competitive system or otherwise to perfect the present order. We confidently believe that this will lead to the final overthrow of the spoils system in the consular appointments.

The President has, during the year, modified the order on removals from the classified service. The whole subject being one by no means free from doubt and difference of opinion among leading members of the League, has been referred to a special committee for report.

The general work of the National Civil Service Commission, with the exceptions already mentioned, has gone on satisfactorily. For the year ending June 30, 1905, 148,730 persons were examined, a gain of 15.661 over the previous year: 39,427 were appointed after examination, or 9.867 less than the year before, the decrease being due almost entirely to the falling off in the rural carriers and in the navy vard service which the year before were being rapidly filled.

In view of the large number of persons examined, it is proposed by the Civil Service Commission to charge a fee of from 50 cents to \$2.00, according to the grade of examination. This seems wise, in consideration of the large number applying, the small cost to each one, and the tendency of the fee to keep away those who only pass the examination for the sake of the record in aiding them to get private employment, or those whose unfitness makes their trial useless. In Great Britain, not only are small fees charged, but even specimen papers and reports, which we give gratis, have there to be paid for.

The various labor boards have been consolidated, under the Commission in Washington, and under the district boards in most of the large cities of the country, twenty-four in number, thus securing uniformity and simplicity of administration.

Congress passed the appropriation granting the increase asked for to enable the Commission to establish its field force of secretaries and assistant secretaries, and its rural carrier examination boards, and now the examination work is practically up to date.

Judge Francis E. Baker, of the United States Circuit Court of Appeals, was, by investigation of the Civil Service Commission, found to have violated the civil service law in relation to soliciting contributions for political purposes from government employees. The finding was turned over to the Attorney General with the evidence. The Attorney General publicly corroborated the finding of the Commission, but reported the case barred by the statute of limitations.

On the other hand, the Federal grand jury at Indianapolis has just indicted Colonel Huffman upon the charge

of violating the same statute.

On December 13, 1904, Frank H. Cunningham, president of the National Association of Rural Carriers, and James C. Keller, president of the National Association of Letter Carriers, were dismissed from the service because of pernicious political activity in attempting to influence Congressmen to support bills providing for increased pay.

On June 20, 1905, Clarence Meeser, Deputy Collector of Internal Revenue at Philadelphia, after an investigation ordered by the President, was dismissed on the grounds of moral unfitness. Meeser was one of a well

known gang of ballot stuffers.

At Louisville, the Post Office Department issued an order, on the report of the Civil Service Commission, requiring the assistant postmaster to resign his position in the Federal service, or his membership in the Republican State Central Committee. The department further directed that the classified employees should be instructed to comply strictly with the regulations regarding political activity.

On November 27, 1905, William S. Leib, Assistant United States Treasurer at Philadelphia, was dismissed by the President for constant and persistent violation of

the civil service law while in office.

George M. Emmons, a laborer in the Philadelphia mint, was suspended without pay for fourteen days, for undue political activity. This seemed to establish a precedent for extending to the unclassified service the prohibition against pernicious activity in politics.

In its latest report, the Philippine Civil Service Board

says:

Of the thirty-four subordinate officials, some of whom were defaulters, separated from the service without a good record, during the nine months ending June 30, 1904, only one entered the service as the result of an examination and certification by the board. * * * As a result of observation and experience, the board has reached the conclusion that rigid and comprehensive examinations, adapted to applicants with a liberal education, are essential to strict integrity and a high degree of efficiency in the Philippine service.

Commissioner Cooley visited Governor Winthrop in Porto Rico during the year, and aided in drafting a bill which passed the lower House of Porto Rico, but was rejected by the upper House, owing to the provision requiring competitive examinations for present incumbents. Governor Winthrop is hopeful of securing its passage next year.

As to the work of our local organizations in the various States—the Pennsylvania Association has a fair chance, in view of the recent overturn of the ring, to secure a civil service law for the State, and the cities thereof, at the next session of the legislature. It is taking active steps towards that consummation so devoutly to be wished.

At the request of the New York Association the State Commission investigated the administration of the civil service law in New York City. The findings showed that the law was not being properly enforced and there is now a chance of a decided improvement. While Warren B. Hooker, Justice of the Supreme Court, was not removed for lack of the necessary two-thirds vote of the legislature, yet a majority vote against him shows the general condemnation, even in a New York State Assembly, against abuse of a public position to secure wrongful appointments and transfers in the Federal civil service. In New York, the civil service law has been extended to four additional counties.

In Massachusetts, of the Curleys, convicted and imprisoned for impersonation in a Federal civil service examination, Thomas F., the candidate for the State legislature from Boston, was defeated for re-election, but the other, James M., candidate for the board of aldermen, has just been re-elected.

In the legislature, during the past year, the Spanish war veteran exemption bill, opposed by the Massachusetts Association, was defeated. We strongly urge the idea that, under most, if not all, of our State constitutions, the creation of special privileged classes, either for appointment or removal, violates the fundamental constitutional requirement of equality before the law and, as such, will not be upheld by our courts, if attacked, and at all events violates the American idea of equality of opportunity. On the other hand, the bills of the Massachusetts Association for extending the civil service law to county appointive offices and higher municipal offices, failed to pass.

In New Jersey, a State Association is being formed, and a bill was passed allowing the mayors of first class cities to apply the competitive system to the fire and police departments. The Commissions appointed to conduct the examinations, besides completing their work, have recommended a general civil service bill for the State and cities.

In Illinois, the "Half Loaf Bill," covering employees in the State charitable institutions, was passed in place of the broader bill urged by the Civil Service Reform Association of that State. William B. Moulton, a member of the Council of this League, was appointed president of the Civil Service Commission under the new law. By another bill, adopted at the last session, 250 positions have been brought within the civil service law in the county service of Cook County. The Citizens' Association of Chicago and the Commission on the Harbor have just united in recommending that bridge tenders be put under civil service rules.

In Wisconsin, a State Association has been organized and a comprehensive law passed, covering the civil service of the State.

In Kansas City, on March 7, a new charter, containing excellent civil service provisions, was defeated when submitted to the people, but no civil service issue or campaign was openly made.

Civil service bills were defeated in Colorado in the upper House after passing the lower, and in Michigan,

after passing both Houses, for want of the signature of the Governor. In Colorado Springs, a Civil Service Reform Association was formed about a year ago.

As to our National League, Mr. Bonaparte, chairman of the Council since 1900, resigned upon being appointed Secretary of the Navy, and resolutions expressing the loss to the League and the gain to the country by the change were adopted and have been printed in our minutes. Mr. Richard H. Dana, of Massachusetts, was elected chairman of the Council at the meeting at which

Mr. Bonaparte resigned, July 22, 1905.

Last March, Mr. Richard H. Dana, Mr. Alford W. Cooley and Mr. Elliot H. Goodwin, Secretary of the League, went to Wisconsin and made addresses in behalf of the cause in Milwaukee and in Madison. latter city, the legislative chamber was put at their disposal afternoon and evening, most of the members of both branches and the Governor being present; and it is believed these meetings had much to do with the passage of the civil service law soon afterwards.

The Secretary's trip to the Middle West to encourage and arrange civil service operations has been postponed. but he has recently visited Chicago and Wisconsin to advise in establishing regulations and organizing the work

of the new Commissions.

The committee on municipal civil service reform has, in conjunction with the National Municipal League, sent out circular letters to various political reform organizations inquiring of them what attention has been given to

the study of reform in the civil service.

The Auxiliaries of Women, and the General Federation of Women's Clubs, have done much active work in circulating petitions and remonstrances for presentation to legislatures, and in holding numerous meetings over the country for addresses and papers on the subject of the merit system, and in circulating literature and encouraging the study of the subject in the public schools, thus doing a propaganda work in our cause to a far greater extent than was ever achieved before their co-operation. The results, direct and indirect, must be of lasting benefit, and we feel under the greatest obligations for the encouragement and help thus afforded.

As to future work, we ought to secure, in States which have civil service laws, the extension of the merit system to some higher municipal and other positions, now exempted by law, and in Massachusetts to county positions which the statute does not include. We ought to insist on the thorough enforcement of the laws wherever they now exist and to bring about the embodiment of the merit system in the legislation of every other State in the Union. For the National Government, we hope to see the fourth class postmasters, or at least the higher grades of them, put under the merit system. This has been recommended in its recent report by the National Civil Service Commission, and the Commission's great success in the appointment of over 32,000 rural carriers within a few years, and taking these positions out of patronage, suggests what may be done in those fourth class postoffices at least, which have higher salaries than these rural free delivery carriers. We hope to see the deputy collectors of internal revenue put under the civil service system, and the first, second and third class postmasters, United States consuls, and heads of many departments, except the cabinet officers, put under some system of promotion by merit, or otherwise taken wholly out of politics.

In general, during the past year, the progress of reform has been marked, while the encouragement for further advances and improvements in the near future has never been so great. The League, we believe, is awake to its responsibilities and opportunities, and the public is listening.

Respectfully submitted,
RICHARD HENRY DANA,
Chairman.

Report of the Special Committee upon Removals in the Civil Service.

TO THE COUNCIL OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

THE time intervening since the appointment and organization of this committee has been much too short to permit of a thorough consideration of all phases of the extremely important question of the advisability of restricting the power of removal. Such restrictions as now exist by virtue of the laws regulating the administration of the civil service of the United States and of various States and cities differ widely in character; the results of each system and its effect upon administration and discipline should be thoroughly canvassed and compared before a final judgment should be entered. In view, however, of the President's recent order and the widespread interest and discussion of the subject which it has aroused, the committee has felt that it was incumbent upon it to report such conclusions as it has been able to reach to the League at its coming annual meeting. This report can then serve as a basis for discussion and for a further and more exhaustive study of the subject. At the same time the committee suggests to the Council the advisability of the continuance of this committee or the appointment of a new Committee on Removals during the coming year.

The rule governing removals in the Federal service prior to its amendment in accordance with the President's order of October 17, read as follows:

I. In making removals or reductions, and in other punishment, penalties like in character shall be imposed for like offenses.

2. No person shall be removed from a competitive position, except for such cause as will promote the efficiency of the public service, and for reasons given in writing, and the person whose removal is sought shall have notice and be furnished a copy thereof, and be allowed a reasonable time for personally answering the same in writing; but no examination of witnesses nor any trial or hearing shall be required, except in the discretion of

the officer making the removal. Copy of such reasons, notice, and answer, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for any change in rank or compensation, and the Commission shall upon request be furnished with copies or the originals thereof.

3. Any person in the executive civil service who shall wilfully violate any of the provisions of the civil service act or of these rules, shall be removed from the service.

On October 17th President Roosevelt issued the following executive order:

When the President or head of an executive department is satisfied that an officer or employee in the classified service is inefficient or incapable, and that the public service will be materially improved by his removal, such removal will be made without hearing; but the cause of removal shall be stated in writing and filed. When misconduct is committed, in the view and presence of the President or head of executive department, removal may be made summarily without notice.

Since then the Civil Service Commission has redrafted its rules governing removals to conform with the President's order. The rule as it stands to-day reads:

1. In making removals or reductions, and in other punishment, penalties like in character shall be imposed for like offenses.

2. No person shall be removed from a competitive position, except for such cause as will promote the efficiency of the service. When the President or head of an executive department is satisfied that an officer or employee in the classified service is inefficient or incapable and that the public service will be materially improved by his removal, such removal may be made without notice to such officer or employee, but the cause of removal shall be stated in writing and filed. When misconduct is committed in the view and presence of the President or head of an executive department, removal may be made summarily, and no statement of reason need be filed.

3. Where a recommendation for removal or reduction in grade or compensation of an officer or employee is made to the head of an executive department by a bureau chief or other subordinate officer, the said head of department may, in his discretion, require that the person sought to be removed be furnished with a statement in writing of the reasons for such action, and be allowed a reasonable time for personally answering the same.

4. The Civil Service Commission shall have no jurisdiction to investigate any removal unless it is alleged that the procedure required by Section 2 of Rule XII has not been followed, or that the removal was made for political or religious reasons.

The committee understands that certain further

changes in the rule in form and wording have been proposed and are now under consideration by the Commission.

The most important changes effected by the President's order and the revised rule is that which makes it no longer necessary in cases of removal to allow the person sought to be removed to be furnished with a copy of the reasons for removal and to allow him an opportunnity for personally answering the reasons for his removal in writing. The requirement of the old rule that the reasons for removal should be made a matter of record, is retained. except in the case where "misconduct is committed in the view and presence of the President or head of an executive department." Such cases must be rare. A discussion of the President's order, therefore, narrows itself down to the question of the advisability of permitting the employee charged with misconduct or delinquency to place his answer before the appointing officer for consideration and to have it made a matter of record.

The article which appeared in the November number of GOOD GOVERNMENT, the official organ of the League, under the caption "The President's Order Modifying the Removal Rule," makes it unnecessary for the committee to review the history of the regulation and restriction of removals in the Federal service and in other jurisdictions, or the attitude which the League has adopted from time to time in regard to this subject. It is sufficient to sav that the United States Civil Service Commission, after many vears experience, declared itself unqualifiedly in favor of a restriction which would require the appointing officer not only to record the reasons for removal, but also to give the employee an opportunity to reply thereto before the removal was made. The League also, in formal resolutions adopted at its annual meetings, approved the same policy, and these resolutions were discontinued only when these restrictions had been embodied in the Federal civil service rules. Indeed these restrictions were first adopted by President McKinley for the whole Federal service in 1807 at the instance of the League and with the co-operation of the Civil Service Commission. The committee is unconvinced as yet that such a restriction is undesirable from the point of view of administrative efficiency and discipline, but in view of the President's order and the unquestionably sincere feeling of a number of high administrative officers in whose devotion to civil service reform principles we have the highest confidence, that the rule had proved unduly restrictive and led to the retention of inefficient employees, the committee believes that the new rule should be given a full trial before a judgment upon its merits or demerits should be pronounced. It is confident that the rule will not be abused under the present administration, and, indeed, is of the opinion that the change will not to any marked extent increase the usual

percentage of removals in the Federal service.

The committee reiterates the declaration made by the League in the past that any requirement for a trial or for the hearing and examination of witnesses in cases of removal, is undesirable from a point of view of discipline and efficient administration. It does believe, however, that in the case of the removal of a classified employee the true reasons for removal should be filed as a record, not only in his own department, but also with the Civil Service Commission—which is charged with the duty of enforcing the prohibition against removals for political or religious consideration—and that as a general rule it is further advisable to give the employee a reasonable opportunity to file a reply before action is taken. It is also very clearly of the opinion that in fairness to the employee and to obviate a possible abuse in removals on secret charges, the employee should have access to the record or reasons or be furnished with a copy of them.

Respectfully submitted,

• SAMUEL H. ORDWAY, Chairman.
WILLIAM W. VAUGHAN. GEORGE McAneny.
ANSLEY WILCOX. ROBERT D. JENKS.

Resolutions of the Council Upon the Foregoing Report.

Resolved. That the report of the Special Committee on Removals be received and submitted to the League at its meeting of December 15, and be it further

Resolved, That the Special Committee on Removals be continued with a request to investigate the question further and par-ticularly with reference to the advisability and practicability of placing the virtual power of removal in the Federal service outside of Washington in local executive offices.

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MR. WILLIAM W. VAUGHAN—I think that perhaps I might be permitted to add a word to the formal reading of this report. The report is, to a certain extent, as such reports often are, a compromise report, because there are frequently and always have been in this League certain differences of opinion, and the ground occupied by the report is common ground on which all men stand. That is, other things might have been added but were not because we were not all united on them.

We are all perfectly clear, in the first place, that the new order of the President, and the new rules founded on it, should be given a full and careful trial, because whether they conform to the views held by all the members of the League or not, they are formulated by men of great experience and men who have the greatest interest in the cause, and they ought to be thoroughly tried for some time before the League ventures to express any opinion adverse to them.

That is the substance of the report as far as the Pres-

ident's order is concerned.

As to the opinion that reasons should be filed, and that there should be an opportunity to reply, that is scarcely at present open to discussion, because that has been the recorded position of the League for many years. A number of the members of the committee do not agree with that, yet at the same time that is the official position of the League, and it is bound to be maintained until some cause is shown in open meeting to change that expressed will.

That is the explanation of the two parts of the report. Now one word as to what is intended by the resolution of the Council. A difficulty has been found in practice in the matter of allowing a reply to be filed by the person who is to be removed. Take the instance of a postmaster, for example, in a town a thousand miles from Washington, who desires to remove an employee. He recommends a discharge; he may file his grounds for that; but he does not make the removal. It is made at Washington by the postmaster general. The result is that when the matter finally comes up for action the postmaster is not present, and it is perfectly possible that through the strength of representations on the other side the postmaster may be overruled, which naturally tends to increase the breach of discipline. If the person whom the postmaster has sought to remove comes back to his post, snapping his fingers at his principal, saying: "I propose to stay, and I shall stay," the result is demoralizing. Now it is thought that if the removal question could be settled at local towns by the postmaster, or whoever is in authority, and the reasons and replies there filed, and the matter finally considered then and there by the postmaster at that spot, subject of course to review at Washington, if so desired, local feeling and local pressure would prevent any wrong being done to any employee; and I think all of the committee believe that under the new order, since it is only discretionary on the part of the removing officer to state reasons and allow a reply, it would be much safer and much wiser if the whole action could be taken in the local town where the removal is sought.

MR. ALFORD W. COOLEY—I find myself so nearly in accord with the report of the committee and with the reasons which have been advanced for that report, that there is but little to be said. I suppose that I am perhaps more responsible than any other one man for this new removal rule in the civil service, and perhaps it might be of interest to state very briefly just what led me to recommend that, and just what I believe has led a number of high administrative officers in Washington to approve it.

The difficulty in the Federal service to-day, and it is a very real and serious one, is not that there are too many removals, but that there are too few removals. Political pressure for removals has practically been eliminated. It is almost an unheard of thing in Washington,

or almost anywhere else (that is, in the classified service of course) to hear of political removals. We all know that political removals are made constantly in the unclassified service, but there is practically no pressure for removals for political reasons in the classified service.

The practical result is that there are a large number, or at least a considerable number, of relatively incompetent people all through the service who are kept there sometimes because they have political pull, much more often through sheer force of inertia. There is no one who is enough interested in getting them out to make the move.

During the last two years I have had occasion to visit pretty nearly every State in the Union, and to talk with a large number of postmasters and collectors and other heads of offices, and there is no one complaint that has been so frequently made as that it was practically impossible to get a man out of service under the old rule.

Theoretically that complaint is not justified, but there does not seem to be any way to get it into the head of the average Federal official that he has the right to remove, until there practically has been a trial. It seems to me wise, therefore, that there should be some steps taken looking to giving a wider power of removal, and I believe that this rule is likely to have a good effect -in fact, I think it has already had a good effect in toning up the service, because not only does that feeling exist among the heads of departments, but also among the people in the classified service. I could easily recall half a dozen cases where the old rule worked badly, and these cases are illustrative of innumerable instances. recollect one case, for example, where a stenographer in one of the bureaus informed the Commissioner on one occasion that he could not remove her because she was in the classified service. Mr. Shonts told me also of a case of gross insubordination on the Isthmus of Panama, where it is so necessary to have good discipline. A man who was charged with insubordination replied that he was in the civil service and that he would like to see them remove him; and, as Mr. Shonts expressed it, they promptly obliged him!

For these reasons it seems to me highly desirable that some step of the kind indicated in the report of the committee should be taken, and I am quite clear in my own mind that it will be found, after a year or so of trial, that this rule will prove entirely satisfactory, except that even under this rule there will be too few rather than too many removals.

I might say parenthetically that I think the importance of this new rule has been very much exaggerated. I have not heard of any particular increase in the number of removals. I think the principal good effect is going to be in toning up the service, and I think that is the only point on which I can differ with the report of the committee,

and except for that I heartily endorse the report.

I am particularly interested in noticing the vote of the Council which proposes to confer additional power upon postmasters, collectors and other local officers, because I regard that as rather an important thing.

MR. WESTERN STARR—The substantial essence of what I wish to say with reference to the enlargement of the power of removal is that the effect to be seen already in many jurisdictions where civil service is in force, as a result of the order of the President of October, has been pernicious in the extreme. I am not speaking of the Federal civil service, but of municipal civil service. happen to have had an experience of something over ten years in looking after the interests of municipal civil service employees, and I venture to predict that there is a view of civil service application which has never been presented to this body, and that is not the view of the general public in whose behalf the service exists, or the view of the administrator who is responsible for his administration, but the point of view of the municipal or civil service employee.

The power of removal, where it exists, is a power hostile to the spirit of civil service reform, and I can demonstrate that by one short statement which I think will be admitted as a fact. Wherever it has been attempted to

establish civil service as an institution by municipal or State regulation the men who have been opposed to civil service reform, from whatever motive, when finally driven to their last retreat, fall back on the absolute power of discharge without the necessity of filing charges. With that clause in the law they feel absolutely secure that the law itself will not be a serious menace to the interests which they have in their control. It is that point that I wish to bring out.

In Illinois we have very recently secured the establishment of a civil service law for the benefit of our State. This law was urgently appealed for during many years past, but it has been impossible to secure the establishment of a law which should require the filing of charges against employees to secure dismissal. The men who claim the responsibility for all the good that there is in our law, and who were effective in securing it, disclaim and repudiate responsibility for those features of the law which leave the system practically as it was under the spoils system, because with our present State law there is absolutely no difference between the old system and the new system, except the establishment of a filter through which appointees may pass, and even that is only partial in the application.

There is an enormous fund of information which comes to one interested in the spirit of civil service reform in a practical observation of ten years, looking at it from the side of the employee. The stalwart militarism to which General Winckler gave expression yesterday in support of the proposition that the absolute power of removal should exist, is merely the return to autocracy, a return to the one man power. It was very well illustrated by Lieutenant-Colonel Pettit in his address to the Military Institute on Staten Island, when he said that no effective military machine can exist except under an emperor or an autocrat. That is the spirit of the men who desire to use the civil service as their instrument.

This question as to whether this power of absolute removal should exist, or whether charges should be filed or not, is merely the result of the clash of conflicting interests, and will finally be settled on the basis of what is

best. But the people have long recognized the fact that patronage has ceased to be the instrument of partizanship, that it has become the instrument simply of business interests; and the people have gone behind the civil service and gone into the proposition to destroy the evil of the spoils system at its very root. They propose to take away completely the opportunities for the use of patronage as a tool of business interests, or as the instrument of par-

tisanship.

Now, permit me to give you an illustration of the result of some of the abuses that exist in the city of Chicago, as applied to municipal employees, under a law which requires that charges shall be filed before removal and that the employee shall have opportunity to be heard in his own behalf. That, of course, does not exist under the Federal law, and I doubt if it exists in any general sense under any other municipal law in the country, but yet under our law we have not quite the right idea even The records of the Civil Service Commission of Chicago show, and I in my own experience am prepared to testify to the fact, that under this necessity of filing charges the very best and most capable and efficient servants that the city of Chicago has ever had, in technical or special qualifications or in general capacities, such as ward foremen, engineers, superintendents of bureaus and others of quite a high grade of capacity, have been removed time and again under the administration of a socalled and supposedly civil service commission, while men who were absolutely at the time under indictment, not only for violation of the statutes of the State, but for violations of the civil service law itself, could not be removed, and charges filed against them would not be heard of. I can give you an instance in point. More than three years ago charges were filed against the head of an important bureau in Chicago, backed up by affidavits and supported by many pages of typewritten specifica-These were placed in a pigeonhole and stayed tions. there, and remained there even after repeated demands for reasons why they were not heard, and until a new administration came in, and until possibly political, personal and official reasons finally led to the exhumation of these charges from the pigeonhole. Now they are being brought down to date and the man will be brought up for trial. The point is this: Absolute power in the hands of any man has a tremendously bad effect on the man that possesses it. There never was a human being yet who had absolute power to whom it was not a curse, and who did not degenerate under its use and exercise. Where the interests at stake are so vast, it is not to be supposed that men will be free from the general principle. I believe the power of removal, as expressed by the order of the President, is a bad precedent and that it will be abused and that it is hostile to true civil service reform.

Mr. Ansley Wilcox—The subject which you have before you is so broad a one that I think the only possible action that could properly be taken was taken by the Council in referring it back to the committee, without committing the League any further by any enunciation of principles on the subject.

We listened with great interest last night to General Winckler's discussion of the abstract principles, and to many of us it carried conviction, if we had not conviction on the subject before. We have just listened to a very able and interesting presentation of the other view of the matter, and whether it carries conviction or not, it arrests one's attention and makes one pause before attempt-

ing to decide so broad a question.

And I just want to call attention here officially to the wide divergence of practice upon this subject, and the very different practical views which we hold about it. In the Federal service there was at first substantially no restriction upon removal, and none was proposed. As you know, it is a matter of history in this League that Mr. Eaton and Mr. Curtis, who were our leaders in the early stages of this movement, announced repeatedly and emphatically the doctrine which General Winckler spoke for last night, that it was sufficient to guard the entrance to the service, and that if the entrance to the service was thoroughly safeguarded and it was made im-

possible for the appointing power to appoint the man of his personal choice, or one dictated to him by a political boss, all motive for improper appointments was removed. Then in the interests of discipline they said the appointing officer should be left free-handed to control his own working force and remove whom he pleased in the interests of the service, because he would have no temptation to make an improper appointment, having no power to make one. That was their argument, and it seemed a very forcible one. There came into the Federal service during President Cleveland's administration a man whose name is very deserving of prominent mention, and that is my friend E. S. Bissell, a graduate of Yale, and a practical lawyer in Buffalo, who became Postmaster General. He was no ardent advocate of civil service reform, he attended few of our meetings and confined his interests practically to paying his annual dues. But he, as the Postmaster General of the United States, told me that he could not eradicate the spoils system from the civil service without guarding it at both ends. That no matter how we safeguarded it by examination, we would have to guard against the temptation of removal; that when once thoroughly established, however, we would not have to safeguard removals any more, and that only when we can get people out of the habit of considering the post offices as spoils, and thoroughly into the habit of regarding them as rewards of merit determined by fair competition, will discipline be satisfied if we leave the Those were Postmaster General Bissell's exits clear. views. He first introduced this plan, and from that has grown this order of general application in the Federal service.

In the State of New York we have nothing of the kind. We had it once in one of our laws which was repealed; but under the present civil service law of New York there is no suggestion of any restriction upon the power of removal, and we think we have nearly an ideal law for our State service. But I come from Buffalo, and not from New York City.

In addition to our civil service law we have a veterans' preference law, which gives veterans of the civil war not only preference for appointment, but in respect to removal, and requires for them not only a right to have charges filed against them, but substantially a right of trial, and that is the only general restriction there is upon the power of removal. But in New York City they have under their charter a clause which imposes restrictions upon the power of removal very similar to those established in the Federal law. As I say, in Buffalo we have no such restriction upon our power of removal at all, and so in the other cities of the State, except in the police and fire departments, and school department, where we have special restrictions applicable to those particular departments.

In Buffalo, after twenty years of experience, we have come to the conclusion that we do not want this restriction in our law. We can enforce the civil service law better without any restriction upon the power of removal than we could with it; and there I speak from the point of view of one who has made a thorough study of the subject, and I appeal to my friend Mr. Shepard, who is thoroughly familiar with the subject, and to-day is the treasurer of the city of Buffalo, if that is not the general experience; that so far as there is any restriction upon the power of removal it operates to the detriment of the service and not to its betterment.

I want to call attention to the statistics contained in the article in Good Government, referred to in our report, as tending to show that through the Federal service, and the same is true of the State service, the percentage of removals is so slight that it amounts to almost nothing. Take the percentage of removals from the Federal service from 1893 to 1904. In 1893 and 1894 it ran above six per cent, and that was at the time when the change began. From that point on it went down to 4.9, 3.7, 2.5, 2, 3 and 2 per cent., and in the post office during the last three years the percentage of removals has been less than one per cent.—a percentage too small to keep the service alive and keep dry rot out of it.

MR. MERRITT STARR—Upon the difference between the municipal civil service law of Illinois and the State

civil service law of Illinois, the first of which contains the rigid requirements for the filing of charges and a trial. and the second of which does not, it is almost a sufficient explanation of the difference between those laws to sav that one was enacted in 1805, and that the other was enacted in 1905, after ten years' of experience under the rigid law. Speaking for the Civil Service Reform Association of Chicago, of which I have been an active member for twenty-one years, I can say that the requirement for trial was, by a practically unanimous vote of the executive committee of that Association, omitted from the draft of the State law which they sent down to Springfield in January of this year, because it was their deliberate judgment that the rigidities of the requirements for trial had not inured to the benefit of the service—that is, not because they spoke from the interest of any particuar body of employees, but looked to the good of the service of the whole.

Mr. Walter J. Shepard—A good deal of course depends upon one's point of view. If I was a clerk in an office under civil service rules I should be very glad to have a provision that charges should be made and there should be a trial, and that I could have counsel, and that the head of the department would have to explain why he presumed to remove me, but as I understand it the primary object of all civil service law is to bring about efficiency in the public service. Incidentally it throws an arm of protection around the employees, but only incidentally. One man is nothing, the service is everything. So that when we come down to a matter of what shall bring about the highest efficiency of the public service, it seems to me we must look around a little and see how affairs are managed in the business world. How many of you that have been employers of labor believe that it is not wise to give the foreman the right to dismiss an employee? A foreman would not be very efficient if he could simply act as a tattler to go before a board of directors and explain why in his judgment such a man should be dismissed, and then the employee was called up and his side heard and a controversy continued back and forth—the result would be that the foreman would soon cease to report anybody. Now my judgment is, and I have been on both sides of this proposition—I see it in an entirely different light than I did before I had to do with the service of municipalities—my judgment is that the way of exit should be left clear and open as much as possible. I would even go further, and say that if the employee desires that charges should be filed, then I would make it mandatory that charges should be filed for record only. But suppose a That is a charge man is discharged for inefficiency. which, if I was the employee, I would not want to have filed. Every man, of course, that is discharged will make the statement, and he may be more or less honest in his belief, that he has been discharged either on account of his politics or his religion. But there are a great many things relating to employees in the public service that look frivolous on paper and yet are matters of very considerable concern. For instance, who will want to put on paper that a man absents himself from the office at different times of the day for from three-quarters of an hour to an hour, or that he indulges in boy's play, makes grimaces at his employer, that he is guilty of rank insubordination, and all that sort of thing? There are a great many little things that you cannot put on paper and try before a lot of people, but these very little things will disorganize an office. How many banks would keep a clerk guilty of that sort of thing? Think of a cashier having to bring up before a board of directors a lot of charges that look very small on paper, but that really disorganize the office force! Now I do not mean to think lightly of the views of the employees. Many of the employees have come to think that they hold life jobs, that they ought to be protected, that they have been there a long time and that they ought to have a pension. In fact, we all would like to have pensions; but unfortunately somebody has to be taxed to pay for it. Each department in a municipality is allotted so many thousand dollars, and it must have efficient men, and it must not go beyond its appropriation.

So it seems to me that we must get back to where we started from, that the primary object of the civil service law is to get efficiency in the public service, and that must be constantly before us. No doubt occasional injustice will be done. There is no question but that men are laid off wrongfully. But the individual is nothing and the service is everything. I believe that the fair proposition is, if the employee is discharged and would like to have the charges filed, that they should be filed, but I am a very decided unbeliever in the doctrine that there should be a trial, in addition to the filing of the charges, before the power of removal can be exercised.

Mr. Charles S. Fowler—I want to say just a word in reference to what Mr. Wilcox has said. In the State service in New York there is no regulation against removal. I am with the State Commission, and we have a great many removals reported to us from State institutions, which are mainly reported as removals because the employee overstays his leave and never comes back to resign, and the only way to get him off the record is to report him as being removed.

There has been in the competitive class within the past year possibly one case of actual removal for political reasons, and there has been one other case in which a man's employment was disturbed for what was alleged to be political reasons, and he was transferred from one office to another office at a reduced salary. That is the record of the State service in New York for this current year 1905, as I know it. There may be other cases, but I never have had anybody charge that removals were had for political or improper reasons.

MR. HENRY W. HARDON—I should be glad to say a word or two about the application of the trial rule to the police force of New York City, and I am told that nobody has as yet touched upon that subject.

In that force the members are entitled to an actual trial, and the result has been that in most cases after the

police commissioner has determined that the charge against the subordinate is sustained, and that in the interest of the service he should be discharged, the officer has taken the matter into the courts, where it has been reviewed; and in a very large number of cases the result has been that upon review the court found the charges inadequate, and the police officer accordingly has been restored to the force, with back pay during the time that he was not performing his functions.

I think that it is a trite observation about the police force, to anybody familiar with the situation in New York City, to say that it is one of the most inadequate and inefficient branches of our service, and I cannot help feeling myself that this practice of trials is in a very large part responsible for the inefficiency of the service. The police force approaches most closely in analogy to an army, and of course it would need no argument to say that in an army the discipline is perhaps the most important part of the administration, and to attempt to conduct our municipal armies under a system which enables the common solider or the subordinate officer to review the determination of his commander-in-chief and test the matter according to the technical rules of evidence and pleading, with the assistance of skillful counsel, and before a court of law where the matter is apt to be disposed of finally upon a question of evidence or pleading, and not upon the real merits of the case, obviously tends to disintegration and to a state of affairs where discipline almost ceases. It seemed to me that in the address of General Winckler yesterday the fundamental proposition was stated with uncommon clearness, and as I listened to General Winckler I supposed that he must have been for years an active member of some civil service organization, who had given close attention to the foundation principles upon which efficient service must rest.

Mr. Walter J. Shepard—The treasurer in Buffalo is ex officio member of the police pension court. You can get any number of witnesses to testify in favor of a man, but it is exceedingly difficult to get people to testify against the man, even in cases of known insubordination.

HON. WILLIAM B. MOULTON—We have recently in Chicago had two cases in which the trials went on for days and days, in which heads of departments and employees were kept from their regular duties to attempt to sustain these charges. The expense of these trials was so great that if the men were reinstated and continued to be efficient employees during the remainder of their natural lives the amount earned by them would scarcely pay the expenses of the trial.

I call to mind the case of the physician in charge of the Dunning Asylum, where he was put on trial for some trifling matter by a little painter, who appeared, accompanied by his lawyer. It does not seem right. But because of the annoyance of these trials, heads of departments are often disinclined to prefer charges when they should be preferred. A few men should not stand in the

way of the efficiency of the public service.

Suggested Revision of Removal Rule.

Revision of Rule XII. of the Federal Civil Service Rules, as suggested by Mr. Wilcox:

RULE XII.—REMOVAL.

- 1. In making removals or reductions, and in other punishment, penalties like in character shall be imposed for like offenses.
- 2. No person shall be removed from a competitive position except for such cause as will promote the efficiency of the service.
- 3. Where a recommendation for removal or reduction in grade or compensation of an officer or employee is made to the head of an Executive Department by a bureau chief or other subordinate officer, the said head of department will, unless he thinks the public interest demands immediate action, require that the person sought to be removed be furnished with a statement in writing of the reasons for such action, and be allowed a reasonable time for answering the same in writing. But no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal.
- 4. When the President or head of an Executive Department is satisfied that an officer or employee in the classified service is inefficient or incapable, or guilty of misconduct, and that the public service will be materially improved by his removal, such removal may be made without notice to such officer or employee, but the cause of removal shall be stated in writing and filed. When misconduct is committed in the view and presence of the President or head of an Executive Department, removal may be made summarily, and no statement of reasons need be filed.
- 5. The Civil Service Commission shall have jurisdiction, as heretofore, to investigate any removal if it is alleged that the procedure required by Rule XII. has not been followed, or that the removal was made for political or religious reasons, and not otherwise.

Report of the Committee on the Reform of the Consular Service.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

YOUR Committee on the Reform of the Consular Service is able to report that the prospect for the satisfactory reorganization and reform of the Consular Service is more promising to-day than at any time in the past. The bill prepared by your committee in co-operation with the committee headed by Mr. Garfield, representing the commercial bodies of the country, which was introduced in the House by Mr. Adams of Pennsylvania, on February 3, 1904, was favorably reported by the House Committee on Foreign Relations, but did not reach the order of final passage. Its most important provisions have, however, been incorporated in a new and very admirable bill introduced by Mr. Lodge in the Senate two days ago, that is, on December 11, which is understood to have undergone the careful criticism of the State Department, and which may be said to be the concrete result of the study of the subject, by all who are interested, down to the present time. The text of this bill has reached your committee too recently to permit of very exact analysis. summary of its salient points will, however, give a very clear idea of its sweeping nature.

Section 1 provides that the consular system shall be reorganized, in the manner provided in detail by the act, and "under such rules and regulations not inconsistent herewith as shall be prescribed by the President."

Section 2 classifies all consulates-general in six classes and all consulates in seven classes, the salaries attaching to each being on a scale consistent with the dignity and practical requirements of the service. There are, for instance, to be two consuls-general at \$12,000 a year cach; seven at \$8,000; nine at \$0,000; cleven at \$5,500; fourteen at \$4,500, and seven at \$3,500. The consuls are to be ten of the first class at \$5,000 each; thirteen at \$4,500; twenty-two at \$4,000; thirty-two at \$3,500; forty-five at \$3,000; fifty-eight at \$2,500, and ninety-

two at \$2,000. It may be remarked that the highest salary at present paid to any consular officer is \$5,000 a year.

Section 3 continues the offices of Vice-Consul General, Deputy Consul General, Vice Consul, Deputy Consul and Commercial Agent, and provides that they shall be filled by appointment, as heretofore, adding that the President, whenever in his judgment the good of the service requires it, may assign consuls of either the sixth or seventh class to service under any one of these titles with the proviso that such assignment shall not interfere with their rights of promotion.

Section 4 requires that the reclassification shall be undertaken "within one year after the date of the passage of the act," and that, after the classification has been made, the designation in a particular class of any consul general or any consul may at any time be changed or a new such office created and placed in any class, the complement of which is not filled, by the President's order.

Section 5 provides that immediately after the classification has been prescribed the incumbents of the existing offices included within it shall be assigned by the President to particular classes, "as nearly as possible in accord with the duties, conditions and compensation of the offices" now held by them.

Section 6 permits the transfer by the President's order of any consul-general or consul between positions of the same class, but adds the provision that none shall be transferred to a country in which the United States exercises extra-territorial jurisdiction until they shall have passed the additional examinations required for such posts.

Section 7 creates an examining board, to consist of the Secretary of State or such other officer in the Department of State as the President shall designate, the Chief of the Consular Bureau, and the Chief Examiner of the Civil Service Commission, or some other person in its service whom the Commission shall designate.

Section 8 makes it the duty of the board to formulate rules for the holding of examinations and provides that whenever a vacancy shall occur in the sixth or seventh class of consuls, the Secretary of State shall require the board to examine "such applicants as shall be designated therefor by the President." As soon thereafter as possible the board is to hold an examination and certify to the Secretary of State the names of those passing. No one is to be examined who is not twenty-one or over forty years of age, or who is not a citizen of the United States. While the scope and methods of examination are to be determined by the board, certain obligatory subjects are specified, including "at least one modern language other than English, and the commercial re-

sources and business of the United States, especially with reference to the possibilities of increasing and extending the trade of the United States with foreign countries. dates for positions in countries in which extra-territorial jurisdiction is exercised are to be further tested "in the fundamental principles of the common law, the rules of evidence, and the trial of civil and criminal cases." The list of names of those passing for a given class or particular post is to be forwarded "with the accompanying reports, to the President for his information.

Section 9 provides that whenever a vacancy shall occur in either a consulate-general or a consulate, above the sixth class of consuls, members "of the two classes next below" shall be deemed eligible for promotion to fill such vacancy, consulates-general and consulates being classified together for the purpose of such promotion, according to salary.

Section 10 exempts from the operation of the act consular officers who are also accredited as diplomatic agents of the United States and who, for that reason, are constructively within the Diplomatic Service.

Section II creates a body of five inspectors of consulates, who are to be designated and commissioned by the President as consuls-general at large, receiving an annual salary of \$5,000 each, as well as their travelling and subsistence expenses while absent from Washington. These officers are to be appointed, with the advice and consent of the Senate, from the members of the consular force possessing the requisite qualifications of experience and ability, and each consular office is to be inspected by one of them at least once in two years. Whenever the President has reason to believe that the business of an office is not being properly conducted he may authorize any one of the consuls-general at large to suspend immediately the consul or consul-general found derelict and to administer the office in his stead, for a period not exceeding ninety days, or until a proper substitution is made.

Section 12 provides that no one who is not an American citizen shall be appointed hereafter to any position in the service of a clerical nature—that is, as clerk, interpreter or assistant—where the salary exceeds \$1,000.

Section 13 amends Sections 1699 and 1700 of the Revised Statutes so as to make more drastic the provisions prohibiting a consular officer from engaging in business or trade in the city or town to which he is accredited, or from practicing as

a lawyer for compensation.

Sections 14 to 17, inclusive, reorganize the system of consular fees, requiring the use of adhesive official stamps and a rigid accounting of all notarial or similar business for which fees are permitted to be charged, and requiring that fees received for any service shall be covered into the Treasury of the United States.

The distinguishing points of difference between this bill and the bill of Mr Adams, as modified at the instance of the League and other bodies, are:

(1) That the requirements for examination are stated expressly and in detail in the bill itself instead of leaving their regulation to the President. The Adams Bill, in Section 8, after classifying the service and making all other necessary provisions for appointments, promotions and interchange of positions, provided "that the President is authorized to prescribe such regulations for the admission of persons into the classified consular service, and for promotions and transfers therein, and for removals therefrom, as will best promote the efficiency thereof." This form of bill was preferred at the time for the reason that it avoided the doubtful question as to the constitutional right of Congress to define exactly the method of selecting consuls, the selection of whom, in the first instance, the Constitution gives to the President alone. If Congress could not require a competitive system of selection, the President, acting under a general grant of authority to frame regulations, could at least bind his own action in this respect. It was argued also that if the President prescribing the first regulations were President Roosevelt, those regulations would be correct in form and would no doubt so commend themselves to the good sense of the country that the mere force of public opinion would prevent their serious injury by any succeeding President The question whether this system or that which the latest bill seeks to establish would prove the more satisfactory in the long run, may still be thought debatable. It is to be observed, however, that under the terms of the new bill the examining board is to examine for any given vacancy "such applicants as shall be designated therefor by the President." In other words, the old system of examining only one person nominated by the President, under a strictly "pass" examination, is not necessarily to be followed. The President, under the general power given him by the first section of the act, may still declare that the avenue of entrance to the service shall be open to all who believe they possess the necessary qualifications, and may pass on to the examining board at any time for competitive sifting all of those whose applications for a given class or post, whether they have come with influential indorsements or otherwise. In requiring, as the same section does, that "the list of names which the board of examiners shall furnish * * * * shall be sent with the accompanying reports to the President for his information" provision seems in fact to be made for what would be, constructively, eligible lists, within the meaning of the ordinary civil service rules. It is to be observed also that although the section relating to promotions does not forbid the filling of any position, however high, through original selection from the outside, its language implies that, as a normal thing, those selected for the higher grades shall be those who have proved their superior capacity in the lower.

(2) The transfer of the consular clerks to the new classification, for which provision was made in the Adams bill, is omitted There is a limited number of these of-

cers against whom this might work unfairly.

(3) The new bill also omits the provision that an officer of any class may be transferred by the President for service "for a period not exceeding one year in any four to the offices of the Department of State." This clause was inserted in the Adams bill in order to permit of a closer touch of the home offices with those of the foreign service, following the plan of the British Consular Service. Possibly the existing law would permit such details; if not, it is to be considered whether the express provision should not be restored.

The introduction of the bill we have outlined was preceded by the issuance on November 10 of two important executive orders, affecting both the consular and diplomatic services. One of these brought the consuls and consuls-general receiving over \$2,500 a year within the scope of President Cleveland's order of September 20, 1895, under which non-competitive examinations were prescribed for all nominees for appointment, and the subjects of examination were specified. Offices of these higher grades had been exempt from the operation of the rule as originally drawn. The second order provided that all vacancies in the office of Secretary of Embassy

or Legation should be filled in future under the same system; that is, either by a transfer or promotion from some branch of the foreign service or by the appointment of a person who, having been selected by the President for examination by the State Department's examiners,

is reported to have qualified.

Taken in conjunction with President Roosevelt's policy of filling the consular offices, so far as practicable, through transfer and promotion rather than by original appointment, and of basing his selections, whether for appointment or advancement, upon some known merit of the candidate—a policy to which there have been some, though a very few, exceptions—the whole drift of the treatment of this subject by the administration, and its present attitude toward the legislation proposed, is in the highest degree encouraging.

Undoubtedly the opinion and the influence of the commercial bodies of the country and of other interested citizens will be promptly organized and brought to bear in favor of the legislation now proposed. If Mr. Lodge's bill is passed as it stands an advance of the greatest value will have been made, and if, under the system of rules to be adopted, a way is still found to make the examinations in terms competitive, the reform of the service on the lines the business interests of the country have so long

been demanding, will be not far from complete.

Your committee will continue to act in conjunction with the committee representing the commercial bodies and to aid in whatever way may seem practicable and expedient in whatever further measures are undertaken.

Respectfully submitted, for the committee, by George McAneny, Chairman.

Address of Welcome.

C. R. VAN HISE, PRESIDENT UNIVERSITY OF WISCONSIN.

M R. President, gentlemen and ladies: It is indeed an honor to welcome the National Civil Service Reform League at Milwaukee, the chief city of the State. The determination of the Council to have this meeting at Milwaukee is an especial honor, since it is the twenty-fifth anniversary of the organization of the League.

This day also has a special significance to us, since to-day a thorough-going civil service reform law goes

into effect in the State of Wisconsin.

This wonderful progress in civil service reform, which has gone so far in these past twenty-five years, has been very largely due to the efforts of this League. The progress was slow and difficult at first, accomplished only amidst the greatest discouragements, and many times it seemed as if the movement must fail; but the persistent, continuous, unfaltering courage of the few pressed on with the work until now we are in the full tide of success.

The movement for civil service reform in this country has followed the law of evolution. Each great step in progress has always been slow and difficult at first; then here and there a point is gained, until finally the forward

movement is rapid.

It seems to me that all of these great social reforms are strictly analogous to the rise of the different dominant types of life in the animal kingdom. For instance, take the great order of the class of reptiles: We first find here and there a scattered specimen, they appear slow and small, insignificant among the larger animals, and all at once they rise rapidly until in size and number they overmaster and dominate the other forms of the animal kingdom.

The story of the rise of the reptiles is repeated in the

rise of the mammals, and that story is again repeated in the rise of man and his dominion over the animal kingdom.

In the same way this forward triumphant movement now begun, is certain to sweep over the country. I regard the successes attained in the past, and especially the recent rapid progress, as a pledge of ultimate dominion. It will not be many years until not only the United States but every State and every city will be under civil service rules.

Feeling thus assured of ultimate success. I turn for a moment to the future and wish to submit to you what seems to me to be your great problem, which is to secure of the civil servants, under civil service laws, as great

efficiency as is secured by private corporations.

I am somewhat familiar with the civil service of Canada, and I have seen many of the civil servants at Washington during many years. There is no question but that there is a deep tendency toward dry rot sinking into the civil service. In Canada it is practically impossible to remove a man once he is appointed, except, of course, for the grossest misdemeanors. In Washington this is not true to the same extent, and yet among the clerks and the other civil servants of the Government there is an apathy in their work which is most distressing. Any of you who have been in one of the great government bureaus about fifteen minutes before the time for closing arrives, begins to hear a hum, which grows ever louder and louder, as papers are put away and hats collected, so that the moment the clock indicates 4:30 P.M., the clerks rush for the door, and within one minute the street is flooded with them. The work stops, whatever its stage, with the most of them. I am not speaking of the higher grade of servants who have large responsibilities, but of the great mass of civil servants.

The great problem before us is to arouse that professional spirit, that honor, among these men, which shall make them feel a deep and proper interest in the work which they are doing.

I have seen this degenerating spirit sink into many institutions. It is extremely difficult with a man who has a certain routine service to perform for a certain number

of hours, when he has no direct personal interest in the work, to retain his activity and to arouse his interest, and thus make the work go more smoothly and effectively.

How shall this spirit be aroused? How can we make the janitor feel that the building of which he has charge is his building? How can we make the clerk who is doing this routine work feel that the affair upon which he is at work is his business? In some way the great business houses and corporations have attained this end. You go into a great store like Marshall Field's and the clerk who is lowest down in the scale will refer to the store as "our house," and will continually use, with much pride, the proprietary "we," feeling himself to be an integral part of that great concern. In some way or other we have as yet missed making the clerk feel that he is an integral part of the government, responsible to the people of the United States.

Probably the solution of this problem will involve some kind of a pension system, for we cannot expect that a man who has given many years of service to the government, when he becomes somewhat enfeebled, shall be summarily discharged. His energies lag and he cannot be retained, for the public service must be as efficient as that of the private corporation.

But it is presumptuous upon my part to attempt to solve these problems at this time. I merely suggest them to you as the problems which seem to me to be the great ones to be handled in the future by this National Civil Service Reform League.

When you have succeeded in getting laws establishing civil service adopted in every State and city in the Union, there will still remain this vast work before you.

On behalf of the State Civil Service Reform Association I say again it is a pleasure to greet you here, to welcome you to this State, and it is my hope that this meeting may be one of the factors in the solution of this great problem in the civil service of the future.

Response to Address of Welcome.

RICHARD HENRY DANA.

GENTLEMEN and Ladies: On behalf of the League I respond to the address of welcome which has been given by the president of the University of Wisconsin.

It is now twenty-five years since our Association was started. I well remember that in those days it took a considerable amount of moral courage to say that you were a civil service reformer. The politicians called us the "snivel" service reformers, and I have more than once felt a sort of crawling sensation, under their withering contempt, as if I were one of those reptiles (mentioned by President Van Hise) in the early stages of development. But I am glad to say that we have now grown to years of maturity, that we have developed into true manhood, and the seal of it is our welcome here by the virile West.

As to this reform: We have always admitted that our machine is not perfect, but its results should be compared not with an ideal system, which exists only in vague imaginings, but with the state of affairs actually confronting us under the system of appointment through favoritism, by bosses and for bosses.

Now, bad as some of the evils may be of a fossilized civil service, they never can be as bad as they have been under the "boss" system. But more than all that, we get rid of the power of the boss to use the offices to fence himself in, and build walls to protect himself from the assaults of the American people upon him, the boss, the king, the tyrant. But I think we have all along felt the danger of some of the evils which might come into the system. We have only begun our reform work. Our system, as it has been mapped out by our early leaders, covers not only the entrance to the civil service, but also a proper regu-

lation of promotions. As it is to-day, almost all of our higher positions are filled as rewards for political services; so that those who should direct are themselves untrained in the business which they should control and administer; while again, more important than that, those persons lower down in the service are deprived of the chance for promotion which is the stimulus that would bring out their best efforts; so that when we carry our system to perfection and have the chiefs of bureaus and all other heads, excepting the political heads, or the Cabinet officials, under the merit system, including promotion, we will then be in the enviable situation of Napoleon, who had in the knapsack of every one of his common soldiers the possibility of a marshal's baton.

But the proof of the pudding is in the eating. Already we have had improvement. If anyone sees something to criticise in the work of the clerks of the departments at Washington to-day, let him remember what they used to be under the spoils system, when they were there because they were protected by some great influence behind them. An appointing officer might not dare to remove a drunkard for fear of his own official decapitation, and instances of that character were all too numerous for me to describe

in a brief address.

But I will say this, that in every department where it has been possible to measure the amount of work done under civil service reform, it has been vastly better and more of it done than under the old system of appointment; as is proved by the wonderful figures of the railway mail service since it was put under civil service reform. Then consider the effect generally of civil service reform on the departments in Washington. Before the introduction of civil service reform they were growing greatly in cost and number of employees, amounting to about 66% in ten years just preceding, while during the thirteen years after the introduction of civil service reform these departments did more work than was ever done before, at less cost, and with 3% less of employees in number.

These are but a few things that have suggested themselves to me on hearing the remarks of President Van Hise. I believe he was just applying the lash a little to us, in order to bring out our best efforts and to make us feel that we should not be satisfied with having merely begun the reform, but that we should go on and extend it, and improve it in every possible direction.

It fills one's heart with joy to think that those princi-

It fills one's heart with joy to think that those principles which we have struggled for so long are now being implanted in Seattle and Tacoma and California and in the Middle West and in the Southwest, as well as in the East, where the reform first began; and I will end with the words of Kipling in his poem of the Gipsey Trail: "For the East and the West are one."

The Merit System in Wisconsin.

HON. SAMUEL E. SPARLING, PRESIDENT WISCONSIN STATE CIVIL SERVICE COMMISSION.

IF the tone of this paper appears eulogistic, I hope that the justification will be found in the thought that the city of Milwaukee is selected as the conference city of this League for this year, in recognition of the contributions that the Middle West has recently made to civil service reform. But more especially is this indulgence warranted by the fact that the State of Wisconsin has upon its statute books to-day a series of civil service acts

surprisingly comprehensive and complete.

When the Warner civil service law was enacted in 1905, the merit system was in full and successful operation in our larger municipalities. Two acts had already been passed by previous legislatures, one relating to the fire and police departments of the cities of the second and third classes, and the other relating to the city of Milwaukee. It will thus be seen that the civil service legislation of last winter was not breaking new ground in this State, but quietly, for a number of years, the merit system has been successfully applied to the more important departments of our municipal service.

This legislation is surrounded with peculiar interest for the reason that it is the result of the initiative of men in public life. It is a striking fact that these acts were not preceded by any organized effort to push them or even by any extended public discussion. You will search in vain through the columns of the press for any definite and consistent demand for this legislation, before the propositions came before the legislature. The National Civil Service Reform League has been a potent force in creating sentiment throughout the Union for the merit system and in organizing and directing that sentiment, but still in Wisconsin a great credit must be given to men in public life for the fact that they were not only willing to enact such legislation, but more especially because of their willingness to initiate it.

The three civil service acts of last winter came into being in a quiet and unobtrusive manner. The law was not preceded by any promises of party platforms, nor by any open demand upon the part of the people for such legislation; so far as I am aware there were no speeches during the campaign even suggesting it, it was not discussed in the press, nor had the State Civil Service Reform League made any effort to create a sentiment in its favor, but it grew out of the situation in this State in a natural and logical manner, as a part of the constructive legislation which has been planned and carried out with remarkable fidelity under Governor La Follette's leadership.

Another fact worthy of comment, in connection with the enactment of this and other important legislation, is the practice of the legislature of Wisconsin to invite suggestions and criticisms from every possible source. Through the aid of the Legislative Reference Library materials are gathered from every quarter, bills are prepared for members, and every possible assistance rendered them. This is illustrated in the passage of the last civil service law. Suggestions were gathered through correspondence, competent persons were invited in to assist in drawing the bill, and finally this League was invited to send its experts to Madison to appear before both houses in public hearings. As a result the Civil Service Act of Wisconsin is probably the most satisfactory found upon the statute books of any State.

At this point I desire to review briefly the various acts which have extended the merit system to the civil service in Wisconsin, both local and State. One of the most important of these acts, and the earliest in its enactment, is the one creating the board of fire and police commissioners for the cities of the second and third classes. This act applies to eighteen cities of the State of a population of 10,000 and was passed in 1897. It provides for a board of four members, not more than two of whom shall belong to the same political party.

They receive no salary, and are appointed by the mayor for a term of four years, one member retiring each year.

It is the purpose of this legislation to give continuity to the service, and in order to do so it guarantees the members against removal and suspension so long as they perform their work faithfully and efficiently. The act of 1897 was not sufficiently explicit upon these points, and the amending act of 1899 was passed, defining more clearly the powers of the board over suspensions and This act empowered the board to remove or removals. suspend at any time for cause. It also enabled the chiefs to suspend their subordinates for cause, but they were required immediately to file a statement in writing with the president of the board, after which the board must consider the charges, and its decision is final and conclusive. It must, however, make its decision known in writing, with a statement of reasons.

In order to gather information in regard to the workings of the fire and police boards of the State, over a hundred letters were sent to the cities operating under the law. Information was solicited from the mayors, members of the boards, and the chiefs of the two departments. While the investigation was not exhaustive, the accumulated views form an interesting commentary upon the workings of the law.

Since the enactment of the law of 1807 there has been going on a constant weeding-out process, ridding the departments of political appointments. This has been slow, and in some cities the progress has not been as rapid as desirable. But there has been almost invariably a very decided improvement and upbuilding since the creation of these boards. It has relieved the mayor and aldermen of the trouble, pressure and worry of selecting these minor officials. Under the new system, sobriety and discipline have followed. Official honor and duty now vitalize the work of these two branches of our city gov-

The scope of this paper will not permit me to discuss in any detail the merit system in Milwaukee. While the law of 1897 does not apply to the city of Milwaukee. there exists, however, a similar board for the fire and police departments. In addition to this board there is also a civil service commission for the examination of candidates for positions in the other city departments. So that the merit system applies to the whole civil service. Naturally the administration of the merit system in Milwaukee is confronted with far greater difficulties than in the other cities of the State. After making due allowance for the constant efforts of some officials to discredit the system, the best evidence indicates that in the main it has worked well.

One of the acts passed by the legislature of 1905 places the selection and promotion of the officials of the Wisconsin National Guard upon the same basis as the Federal service. There are two features of this act, which are of special importance to the friends of the merit system. In the first place the method of appointment and promotion of the staff officers corresponds to that of the national military service in all particulars, where practicable. In this way the permanance of the service is secured and the principle of promotion fully established. second feature is the creation of a school of military instruction. This plan involves, first a school of correspondence, based upon the United States Army regulations, and the texts, used in the regular service. instruction covers the five different branches of the military service,—administration, infantry, artillery, cavalry, and medical and is compulsory. The thought is to compel the officers to read the texts and regulations furnished them by the Adjutant General's department. A second feature of this scheme is an annual school of instruction. the attendance to which is also compulsory. With the information acquired by systematic reading of the literature, directed by correspondence, the officers are brought together annually and instructed through lectures, and in other ways, by officers of the national service. While the school of instruction is probably not original with Wisconsin, the department is taking it up with a seriousness which does not seem to prevail in other States. This act tends to build up and maintain the efficiency of the Wisconsin National Guard, and is a gratifying instance of the high regard for the merit system entertained by the State military department.

Another separate and independent act passed by the last legislature applies the merit system to the selection of legislative employees. While the civil service act places the legislative employees in the classified service, the law dealing with this class is separate and distinct from the civil service act itself. In applying the merit system to legislative positions, the Wisconsin legislature, I believe, broke new ground. The conditions surrounding the legislative service here is not more unsatisfactory than in other States, but the temper of the legislature was for the introduction of better things, and that it should itself enjoy some of those things. Accordingly during the last days of the session a bill was introduced and passed, reorganizing the legislative service. The number of employees was reduced, full hours of service required, the employment of men only permitted, and finally the preparation of eligible lists for these positions was placed in charge of the Civil Service Commission. We have here a bill complete and far-reaching in its design. The intention of the legislature was unquestionably to apply the merit system to all positions of a clerical character. One phase of the law, however, has tended to limit somewhat its scope, under the ruling of the Attorney-General of the State. But even with this limitation the law includes the more important technical positions, such as stenographers and typewriters, and will relieve the members of the legislature from that constant pressure of job-hunters, which swarm our legislative halls during the earlier days of the session. Great credit is due the Wisconsin legislature for this step. It was wholly upon its initiative, unheralded, unexpected, and came, as I understand, as an after-thought on the part of those who were managing the principal civil service bill.

I now come to the discussion of the most important act passed by the last legislature. For the purposes of this paper, I shall confine my discussion to its exceptional features, and the rules framed under its provisions. In the first place the act is peculiar in that it is far more detailed than similar laws in other States. The framers

of the bill put into the law, not only the essential matters contained in the laws of other States, but also those contained in the rules and regulations, so that the Wisconsin act is an incorporation of those things found most valuable in the administration of the merit system as worked out in the experience of New York, Massachusetts and in the Federal service, as well as new points of view suggested by civil service experts. In many respects the law is self-operative, and were not rules framed by the Commission, the law would still embody a merit system, fairly safe-guarded, and protected from political manipulation and collusion.

Another exceptional feature of the Wisconsin act, and one which, I believe, has never been incorporated in any other civil service law, is the examination of the present employees. This examination is non-competitive or a pass examination, and all those persons coming under the civil service rules are required to take it. Personally I feel that the Commission would be in a stronger position to begin its real service, if it were not called upon to give these examinations. It is a delicate task, and one beset with many dangers.

Another feature of the law, which in many respects is exceptional, relates to the treatment of the State institutions, but this provision is exceptional only in the manner of treatment. The civil service law was framed to include all positions of the State service, but during the progress of the bill it was discovered that considerable opposition had developed to the placing of the State charitable and penal institutions under civil service rules. Wisconsin had led the way in many respects in the management and administration of these institutions. many years they have been managed by a central Board of Control. Under this system all of the State institutions are placed directly under the management of the central board, while each institution itself is in charge of a superintendent, who is responsible to the Board of Control for its welfare. The Board of Control has so managed and developed its work that it has become a strong feature of the State administration. It was felt that the merit system already prevailed in these institutions, and that in view of that fact the present regime ought not to be disturbed.

This opposition forced certain compromises into the civil service act. These were essentially of a twofold character, and did not vitally affect the merit system in its application to these institutions. In the first place the Civil Service Commission was relieved of the work of examining the present employees of the State institutions. In the second place the Board of Control was given the right to make the classification of the employees. The latter is the most important of these exceptions. The law, however, safeguarded this classification in two ways. The Board of Control was required to make the classification in harmony with the rules and regulations laid down by the Civil Service Commission, and furthermore no exemptions could be made by the Board of Control without the consent of the Governor. With these matters properly presented to the Board of Control the classification presented by them corresponded very closely to the one which would have been made by the Commission itself had it possessed the power in the first instance.

These are some of the exceptional features which are found in the Wisconsin act, and the ordinary provisions of the law, which correspond to similar legislation in other States, need not be discussed here.

With this law before the Commission, its next problem was to frame the rules and regulations necessary to put the act into force. After a careful survey of the Wisconsin act in comparison with those of Massachusetts, New York, and the rules and regulations framed under the provisions of those acts, it was soon discovered that the main task before the Wisconsin Commission was rather to discover what rules not to frame, than to attempt elaborately to reproduce the provisions of the law. The law itself is so detailed that many of the provisions of the Wisconsin act are found as rules and regulations in New York and Massachusetts. In framing the rules and regulations we concluded that there were essentially two things to be kept in mind. In the first place our task was to supplement and define somewhat more clearly some of the general provisions of the act, and in the second place to make the law and rules easily consulted. In order to accomplish this the Commission selected those provisions of the law which were of special interest to applicants and the general public, and arranged them systematically under topical heads.

The first problem of exceptional interest which the Commission was called upon to meet in framing its rules related to examinations. The Wisconsin law emphasizes more than the act of any other State the thought that the examinations should be easily accessible to all the citizens of the State. With this thought in view the legislature provided for examinations in every Assembly district in the State, and, where an Assembly district is composed of more than one county, in each county of the district. As a result the Commission must hold examinations at the same time in 111 different places in the State. This idea of placing the examinations in every nook and corner of the State may seem at first to have been carried too far, but we feel that, in the end, it will prove satisfactory, and will enable the Commission to prepare stronger eligible lists, and in particular for the State institutions, for these employees come generally from the outlying country districts. While the labors of the Commission will be increased to some extent we believe, however, that this is a wise provision of the act. The expenditure of a few dollars in going to some point to take an examination with the possibility of not passing the examination, or of never being certified, would prevent much good material from competing.

This provision of the law placing the examinations in 111 different points in the State necessitated the creation of local examining machinery. The law is silent as to the manner of holding local examinations. The Commission decided to place the examinations in charge of local boards of three citizens. In view of the limited acquaintance of the Commission over the State, each member of the lower house of the State legislature was asked to recommend five leading citizens without regard to politics, one of whom should be a school man, or a person who was familiar with examination methods. The members of the legislature responded enthusiastically to this

suggestion, and many leading citizens of the State were included in their lists. These lists were then grouped by Senatorial districts, and sent to the Senators for suggestions and approval. From this list then, the Commission selected three persons from each Assembly district, making a body of 333 persons in the different parts of the State ready to assist the Commission in conducting the examinations, and in giving such other assistance as will prove valuable in making up the eligible lists. One of the members of the local board was selected as the principal representative of the Commission, and is designated as the local supervising examiner, and is in almost every instance a school man. These local examiners receive no compensation, and most of them have accepted as a matter of citizenship. In fact, it is quite surprising, as well as gratifying, to note the number of influential men who have accepted appointments to the local examining boards.

Another matter which gave the Commission considerable trouble related to the framing of rules for promotions. The law places especial emphasis upon promotion. Under the law there are two elements which determine promotions; first, a change of duty, and, second, an increase in salary. The difficulty in framing the rules for promotions in the State service lies in the fact that the departments, as a rule, are too small to provide any well marked gradations of positions. On the other hand, it was felt that a mere increase in salary without a change in duty and responsibility was not a good basis for promotion, but the law seemed to require the Commission to consider this a sufficient reason for promotion. The most important feature of our rules for promotion is the classification of the employees in each department into two grades—the lower and the higher clerical grades. higher clerical grade includes those employees exercising executive responsibilities, while the lower grades includes those of a clerical nature only. The purpose of this classification is to provide for the future. It was felt that if promotions to the higher positions were made from the lower clerical force alone, the efficiency of the department might be impaired for the reason that the small salary of the lower positions would invite young and immature persons, who might make good clerks, but who would not have sufficient experience and capacity for service in the more responsible, or higher positions of the department. The Commission felt that the positions of the higher grade should be open to the competition of those on the outside of the department, as well as to those within the department, it being assumed that the clerk in the department, having the capacity and experience to entitle him to serve in the higher positions, would be able to compete successfully with those on the outside, by reason of his familiarity with the business of the department.

Another reason also influenced the Commission to take this view. It was felt that the lower positions of the State service do not offer sufficient inducements, from the point of view of salary and opportunity, to keep the employee in the service for a long term of years, and furthermore that it would be better for the service if the inducements to remain for a long period in these lower places were removed. The Commission felt that a higher efficiency would be obtained if the lower positions were replenished at frequent intervals with young, active persons, who would remain in the service until their experience enabled them to obtain in business and elsewhere positions more remunerative and in keeping with their ability and training. It was felt that if the promotions to the higher grade were confined to the lower grade of the service alone, too great inducement would be offered to remain in the service, and the result would be. in many instances, that these higher executive positions would be filled by those of long clerical training. Furthermore, the organization of the service on the principle of life tenure would ultimately force upon the State a policy of civil pensions. The feeling against civil pensions is so strong that the Commission did not care to assume the responsibility of forcing this policy upon the legislature. This view may seem like too great an attempt to deal with the future, but the conditions which prevail in the departmental service at Washington should stand as a warning. Our thought was to protect the lower ranks in the right of promotion, and at the same

time to protect the service against the danger of a monopoly upon promotion by opening up the higher positions to competition between employees of the lower grade and the outside public. It was for this reason that the Commission divided the positions of each department into the lower and higher grades for promotional purposes.

The next problem of importance pertained to the labor class. The Wisconsin law, like the civil service laws of other States, does not subject the unskilled labor class to any examination, but merely requires the filling out of an application blank showing good habits, and ability to labor. The method of constituting the eligible lists, however, is left to the Commission. The Commission decided to divide the labor class into two grades—grade A, to include all of those laborers, whose application blanks entitled them to a standing of good, and grade B, to include all those laborers whose preliminary papers entitled them to a position upon the eligible list, but who are not ranked as good. Each laborer is then required to state his preference as to the kind of labor he desires to perform. For instance, he is to indicate whether he desires to go on the eligible list for farmers, painters, common laborers, etc. Then those coming in grade A, or grade B, will be placed upon the eligible list, according to preferences, and in order of the date of application, and will be so certified to the appointing officers. This creates a horizontal and vertical classification, which ought to enable the Commission to prepare good eligible lists for the labor positions. Then, in addition to these two grades, upon the suggestion of Mr. Goodwin, Secretary of the National League, the Commission created a preferred list to be composed of those laborers who have been retired by reason of the expiration of a piece of work or for any other reason except inefficiency. The persons whose names appear upon this preferred list shall be certified before those on the regular eligible list, as they have already passed the preliminary tests, and have also been tried out as laborers. and are consequently entitled to preference over the untried.

Another feature of the Wisconsin law which, I believe, is exceptional, relates to exemptions. In the first place, there are two kinds of exemptions provided for, the exemption of the position and the exemption of the person. The Commission is prohibited from placing any position or person in the exempt group except after a public hearing, with the reasons for such exemption stated in the public report. The Commission has so far held no public hearing. The distinction between the exemption of the position and the person is to enable the Commission to exempt certain persons from examination, but at the same time preserve its control over the selection of such persons in the future. This provision applies to professional and technical positions. So it will be seen that the loophole, which has been so fruitful in defeating the merit system elsewhere, is amply closed by the Wisconsin act, and the present Commission will not put any position in the exempt class unless good and sufficient reasons can be produced.

The Wisconsin act also treats the question of removals in an exceptional manner. The law gives the power of removal to the appointing officers absolutely, with the proviso that this removal must be for cause other than religious or political. The only requirement of the appointing officer is that he shall state to the person removed the reasons for removal, and shall also file them with the Commission. If the person removed has any grievance, or believes that his removal is unjustified, he has recourse in the courts. This provision was put into the Wisconsin law before President Roosevelt made his recent ruling. It is theoretically correct and a good deal of interest awaits its operation in practice. The Civil Service Commission should not be given the power to interfere with removals, which go with the power of appointment. The function of the Civil Service Commission is to prepare eligible lists and to see that the service is regular and not padded, and that the spirit of the merit system is fully respected. Its power should not extend

Obviously the purpose of civil service legislation is to eliminate the political and personal equation in making appointments. The Wisconsin law provides that employees shall not be compelled to engage involuntarily

in political work or to submit to political assessments. The control over this matter, however, is not given to the Commission. It is an admonition to the appointing officer and the employee. In addition to this provision the Commission is called upon to certify the payrolls, in order to prevent padding and other abuses which sometimes creep into the public service.

These are the principal features of the merit system as it is found in Wisconsin. It will be discovered that the main civil service act is supplemented by four other acts covering the fire and police departments of all cities of 10,000 and above, the Milwaukee civil service law, the military civil service law, and the act pertaining to legislative employees. These acts thoroughly cover, with the exception of the smaller cities and the counties, the civil service of the whole State.

In addition to these acts, which emphasize the right of the public to enter the service of the State irrespective of political affiliations, as well as to enjoy an efficient administration of State affairs, there still remains one other act, which must be taken into consideration in discussing the merit system in Wisconsin. I refer to the primary nomination law, passed by the legislature two years ago, which provides that all candidates for the elective offices. both legislative and executive, State, local and Congressional, shall be nominated directly by the voter at the primary. This act, however, taken in connection with the acts already noted, gives, I believe, to Wisconsin the most complete application of the doctrine of the public ownership of government found in any State, and with the extension of the merit system to the county and minor municipal departments, the whole public service will amply protected and safeguarded against political and personal manipulation. This places Wisconsin in the front rank of those States in the protection of its public service, both administrative and legislative, elective and appointive, against the inroads and manipulations of politicians and other interests. I cannot close this paper without again extending the credit to those who have led in this movement, and it seems especially fitting because it augers well for the efficient enforcement of the law. In

almost every instance these laws have come into shape through the initiative of the public men of the State, and still further credit is due the leaders of this movement for their open-mindedness in inviting the opinions and assistance of civil service experts. In fact, in Wisconsin there is now little to be done for the merit system but to administer efficiently the laws already passed, and to extend the system to the minor administrative departments of the lesser cities and the counties. We feel that this is Wisconsin's triumph, and is a part of the constructive legislation of the last four years, which has placed upon the statute books of the State a series of measures of great and far-reaching significance.

Civil Service Reform in Illinois.

HON. W. B. MOULTON, PRESIDENT ILLINOIS STATE CIVIL SERVICE COMMISSION.

IN the East we have only two States that have State civil service laws, the contiguous States of New York and Massachusetts. In the West there are but two States that have civil service laws covering State employees, Illinois and Wisconsin, also contiguous States. These are the only four States that have laws covering the State service. Illinois and Wisconsin joined the group during

the present calendar year.

The State of Illinois has contributed no little energy in behalf of the advancement of civil service reform. The center of this activity has been located in the city of Chicago. The first hard fought contest brought this city itself under a law which covers about 12,000 employees, practically all of the city service. The peculiar features of the Chicago law, its rigidity as to exemptions and its trial feature, you are well acquainted with. The same law was adopted for Cook County, but covered only about 600 employees out of a possible 2,000. The last session of the legislature added to the county law about 250 more employees; the staff of the County Hospital and the new probation officers of the Juvenile Court. The city of Evanston has adopted the Chicago law. Rockford, Aurora, Elgin and several other cities have adopted a law covering their police and fire departments.

Until the fall of 1902 no organized effort was made to secure a State civil service law. The political abuse of the State institutions was used as a means of political attack upon a former Governor. This drew public attention to the necessity of a law removing at least the charitable institutions from the vicissitudes of politics. The Illinois Civil Service Association was formed in the fall of 1902

to secure at the coming session of the legislature the passage of a State law. Governor Yates had previously appointed a good commission which had drafted a law based upon the Chicago law. This law had withstood all attacks made upon it and had been thoroughly tested in the courts. It was thought wise, therefore, to adapt the city law to the State. The trial feature was included. At the subsequent session of the legislature the Illinois Civil Service Association changed its attitude in regard to the trial feature and it was eliminated from the law introduced at the session of 1905.

The fight in 1903 over the passage of the measure took place on the floor of the House and was the first great fight of that memorable session. As long as the constitutional right of roll-call was given the bill progressed unscathed by the flood of amendments. The situation looked favorable until the pressure on Speaker Miller by the enemies of the bill caused him to weaken and be cowardly enough to deny roll-calls, and the measure was soon amended out of existence. Later in the session this denial of roll-calls and other arbitrary actions in connection with the Chicago Street Railway measure caused a revolution that drove the Speaker from the chair.

In the interval the Illinois Association gradually increased its membership throughout the State, securing the alliance of the Grain Dealers' Association. This Association was interested in placing the grain inspection under a civil service law. The platforms of both parties in the fall of 1904 declared for civil service legislation covering all the offices and places of employment in the State. Governor Deneen's message strongly urged the passage of a law and it was generally conceded that a law would be passed at the session of 1905 covering the State charitable institutions. The Illinois Civil Service Association made a strenuous fight for a law that would cover the entire State service. In this it was greatly aided by the leading Chicago dailies and such papers as the Rockford Star and the Bloomington Pantagraph out in the State. The legislature, however, refused to include more than the charitable institutions, seventeen in all. The list of employees in these institutions includes 2,200 of the 3,000 State employees and is a good beginning for the State. The administration of the new law starts out in every way backed up and aided by Governor Deneen. Later the penal institutions, the grain inspection, the factory inspection and the other departments will be gradually brought under and the complete law will only be a question of time and opportunity.

In the administration of the city, county and State laws in Illinois, the Commissions are calling in as examiners on the various subjects men who are the recognized leaders in their professions or trades. These busy men willingly give of their time in the spirit of good citizenship. In positions relating to children, such as examinations for Probation Officers and Home Visitors, the Commissions are calling in the assistance of Miss Jane Addams and others. In this way public confidence and interest in the administration of the civil service laws are greatly stengthened and increased. The eminently practical character of the examination further adds to this confidence.

As the people become more and more acquainted with the true worth of the merit system, the stronger becomes their support. The civil service reformers neglect too much, this giving of information to the people as to the good the system is doing, and leave the field too much to its selfishly interested enemies, who leave no stone unturned to exaggerate slight defects and to falsely tell of others.

Kansas City and Civil Service Reform.

A. O. HARRISON, OF KANSAS CITY, MISSOURI.

ANSAS City is the synonym for achievement. The genius and enterprise of her poorle and in the first of the synonym for achievement. nius and enterprise of her people, applied in the fields of industry and commerce, have won victories, which stand out to-day the marvel of her competitors. But in the field of municipal government she lays no claim to superiority. In the rush to establish industries, develop commerce, build homes and boulevards, the city government has been neglected. Years ago it was allowed to lapse into the control of professional politicians and ward heelers. who bartered the jobs for political services, corrupted elections, allowed laws to go unenforced, disposed of city contracts and franchises to favorites or for a consideration. and in truth the only limitation their rapacity recognized was the occasional frown of a half awakened public. Even on such occasions a flood of oratorical pyrotechnics, to the effect that they were the only friends of the people, usually served to allay whatever apprehensions might possess the public mind. On these conditions the political boss fed and became fat. But the dawn of a new day is at hand for Kansas City. While not yet triumphant in the field of municipal reform, we are at least militant. The people are awaking to their civic duties. The light that is now beating upon the City Hall makes it a far less popular resort for the grafter, and members of the present City Council have been forced to admit that they are honest and have never sold their votes. The time was when the pirate's motto, "To the victors belong the spoils," was a popular campaign cry in Kansas City politics, but to-day its devotees dare not proclaim it in public.

However, Kansas City has yet to adopt the basic law of good city government, viz., genuine municipal civil service. A number of desultory efforts have been made to incorporate the law in several departments of the city. but with little show of practical results. The first pretentious effort was made in connection with the Water Works department. In 1895 Kansas City came into possession and ownership of the Water Works. At that time it was provided that "No person shall be appointed, employed or discharged in any branch of the Water Works service for or on acount of political considerations," and that discharge from the service should be for "cause only." While politics has played a large part in the Water Works department, vet a number of skilled employees have continued in the service throughout the ten years of public ownership. They are a monument to the efficacy of a very weak civil service provision, carried out under adverse circumstances. It is due to say of the present Board of Public Works, the president of which is as fine a type of public servant as can be found in any city in the United States, that in the various departments of the city, which come under their control, the spirit of civil service reform is being attempted and with some show of success, even without legal requirement. The charter of Kansas City provides that officers of the Fire Department shall hold their offices until "Removed for cause." and that firemen may "be removed by the chief for neglect of duty or other cause deemed good and sufficient by him." The chief is appointed by the Mayor and upper house of the council, and the other officers and firemen are recommended by the chief and appointed by the Mayor and upper house. These provisions have proven little protection to the members of the department.

Perhaps the nearest approach to a civil service law to be found in Kansas City is the law governing the Police department. The Board of Police Commissioners of Kansas City is composed of the Mayor, who is ex-officio president, and two other members appointed by the Governor of the State,—the latter two are selected without regard to politics, in law, but in practise, with a very tender regard for politics. This board has the power to appoint, direct and discharge members of the force. The Missouri Legislature passed a law in May 1899, relating to Kansas City, which provides that the commissioners

shall take and subscribe an oath "That in any and every appointment or removal to be by them made to or from the police force * * * they will in no case and under no pretext appoint or remove any policeman or officer of police * * * * for or on account of the political opinions or affiliations of such policeman, officer or other person, or for any other cause or reason than the fitness or unfitness of such policeman, officer or other person." This law further provides that "The board shall from time to time hold an examination for determining the qualifications and fitness of all applicants for appointment to positions on the police force, and whenever a vacancy occurs in any grade of officers, except the chief and cannot be filled from the next lower grade, it shall be filled from the list of persons so examined and found to be fit and suitable to fill the office in which such vacancy occurs." The law also provides that, after a probationary period of one year, appointments shall be for a term of three years, and at the end of this term, policemen and officers who have "faithfully performed their duty, shall, if otherwise qualified, be preferred by the board in making new appointments." However, these somewhat plausible provisions have not served to remove the police from active participation in politics. For the alacrity with which they respond to the passage of the hat during a city campaign convinces one that it is either a forced assessment, or that the members of the department are firm believers in the adage that "The Lord loveth a cheerful giver."

Kansas City is not ignorant of the gospel of good government. Civil service reform has been preached by local as well as visiting speakers. Among those who have responded to the Macedonian call are Hon. Charles J. Bonaparte, Mr. Elliot H. Goodwin and Hon. Alford W. Cooley. Up to two years ago little definite effort was made to adopt the reform as a municipal policy. In May 1903, the Executive Committee of the Kansas City Civic League appointed a committee to investigate the subject of civil service reform, with a view to its general adoption in the city government. This committee reported that, in their judgment, the time was not opportune to be-

gin a campaign for the general adoption of the merit system, but that we should attempt its adoption in the Water Works department alone. If it proved a success there a strong argument would be at hand for its general adop-The Civic League then appointed a committee of five able lawyers, who set to work and drafted an amendment to the city charter, providing for a board of water commissioners and a strong civil service law for the department. The amendment was introduced in the City Council, but the city administration was opposed to civil service reform, and the amendment was pigeon-holed, where it still slumbers. In December of that year the Civic League passed a resolution to endorse no candidate at the approaching Spring election who was opposed to the merit system. In order to place the candidates fairly on record, the League addressed a letter to each of them, just prior to that election, asking them whether or not, if elected, they would favor and vote to adopt civil service reform for Kansas City. A large majority answered and placed themselves on record in writing as being in favor of civil When the delegates were selected for service reform. the various city conventions, the League addressed each one a letter urging them to endorse the reform in their party platforms, and to nominate only those candidates who were known to be favorable to it. Most of the leaders of both old parties were opposed to the merit system, but they respected the rapidly gathering public sentiment, and the four leading parties in the field put strong civil service reform planks in their platforms. The result of the campaign was that a Mayor and a majority of the council were elected who were on record in favor of civil service reform. The new administration went into office in April, 1904, and in May a movement was started to adopt a general civil service system for Kansas City. It was soon discovered, however, that the present charter was drawn with the spoils system in view in every department, and that it was practically impossible to adopt by amendments a civil service system and adjust it to that charter. A new charter seemed to be the only alternative. It had already been advocated for several years, for various reasons, and now a new reason appeared. The newspapers took up the matter of a new charter, likewise a number of civic bodies endorsed the movement, and at the November election of 1904 a board of thirteen freeholders was elected for the purpose of framing a new charter, the constitution of Missouri allowing cities of over 100,000 population to frame and adopt their own charters. The Charter Board elected was composed of exceptionally able and patriotic men. The very first measure upon which the board agreed was a genuine civil service law. The board sought light on this subject from the National Civil Service Reform League, and from every city in the country that had adopted the merit system. Out of this mass of information and suggestions they drafted an unusually strong civil service law. The Charter Board was warned by politicians of both parties that if they put civil service reform in the charter it would defeat it. Strange to say, the friends of the new charter were afraid to make civil service reform the main issue in the charter campaign, and its enemies did not dare do it. The new charter proposed a number of reforms and changes in the old. Among other things it sought to take the saloons out of the control of the Police Board, and remove them from politics. This served to arouse the opposition of the saloon men and the brewers. were numerous objections made to the new charter, some imaginary, others greatly magnified, and all the critics losing sight of the glaring defects in the old. A few good men found objections to the new charter, but the heart and backbone of the fight narrowed down to the saloon men and the brewers, who preferred the old law, easily evaded, and the professional politicians, who saw their cherished hopes doomed in the rise of civil service reform. They attacked almost every clause of the charter, and numerous false statements were circulated concerning it. The friends of the new charter were good men, but inexperienced in the field of practical politics. They were no match for the professional politicians, who were united in the camp of the enemy. The labor unions were also induced to oppose the charter. gave two reasons for their actions: first, because no representative of the unions was placed upon the Charter Board. and, second, because it did not contain the initiative and referendum and recall. The so-called good citizen did his part to defeat the charter by staying at home. The vote showed that about 25,000 out of a total of about 46,000 voters remained away from the polls. The vote on the charter, March 7, 1905, was 9,979 for and 11,156 against. As the law requires a four-sevenths vote to adopt, it will be seen that it failed of adoption by a decided margin.

After the contest for the new charter had ended, some of the mistakes made in the campaign were apparent. One of the most serious was in presenting the instrument as a whole. The law provides that sections of the charter may be presented in the alternative, that is, in two forms; so that a voter can vote against an objectionable section, and not be compelled to vote against the whole charter in order to defeat the one section to which he objects. If this had been done with a number of controverted propositions, the charter as a whole would have been relieved of an immense amount of opposition.

Thus the first great battle for civil service reform in Kansas City ended in defeat. But the friends of the reform are not discouraged. Within three months of that defeat another movement for a new charter was started. It progressed to the point of nominating a new Charter Board by the Council. But at this point several obstacles were encountered. Political considerations were clearly manifest in the nomination of the new board. Again, it was learned that it would embarass the city, at that time, to meet the cost of two elections, the advertising and other expenses necessary to carry through a charter campaign. Another serious obstacle that arose was in connection with Governor Folk, paradoxical as it may sound, for Mr. Folk is regarded by most people as one of the greatest Governors that Missouri ever had; and as a conspicuous exponent of good government stands second to no man in the United States. Under the old regime the Police Department, which is under State control, has had supervision of the saloons, even to the granting of licenses. The practise has been for the department and the saloons to form an alliance, offensive and defensive, against which the people have railed in vain. At every

suggestion of a new charter the thought uppermost in the minds of most people has been home rule, at least to the extent of local control of the saloons. This provision was in the recently defeated charter. However, since the advent of Governor Folk, this alliance has been broken, and the saloons are made to obey the law, possibly better than they could be under local control. Hence if a new charter were presented now providing for local control of saloons, a great many good people would oppose it, for the reason that they prefer State control while Mr. Folk is Governor. And since the hope of civil service reform is bound up with the adoption of a new charter, this obstacle is apparent.

However, Kansas City will yet break from the embrace of the spoils politician and lay the foundation for permanent good government in a genuine civil service system. There is probably no point in the United States where the practical working of a genuine civil service system would exert a wider influence than in Kansas City. All the departments of the Missouri State government, and all of the State institutions are in crying need of the merit system of appointment and tenure. St. Louis, St. Joseph and a multitude of smaller cities and towns in the vast Southwest might follow the lead of Kansas City in

adopting this vital reform.

Municipal Civil Service in Denver.

FREDERICK J. CHAMBERLIN.

THE history of civil service in the City of Denver actually began on June 1, 1904, when the present charter, previously adopted by the people became operative. This charter only provides for civil service in two departments, the Department of Fire and Police and the Department of Public Works, and might have failed entirely in the Charter Convention except for the fact that the constitutional amendment creating the city and county of Denver contained a mandatory provision requiring civil service in these two departments to be incorporated in any charter presented to the people.

The activity of these two departments in politics under Commissions appointed by the Governor had become a stench in the nostrils of the people of Colorado so that it was comparatively easy to secure such a provision in the constitutional amendment which passed the Legislature.

The members of the present Civil Service Commission were named in the charter, and will hereafter be

appointed by the Mayor biennially.

The Commission was fortunate in having the assistance of the Secretary of the National Civil Service Reform League, Mr. Elliot H. Goodwin, in the preparation of its rules. The rules as adopted were almost ex-

actly as drawn by Mr. Goodwin.

There are only 447 employees in the classified service and the work of the Commission is comparatively slight, and is really only the beginning of entire civil service in municipal departments. Considering the fact that the boards constituting the heads of both of these departments are made up of politicians to whom civil service reform was entirely new and undesirable, the Commission

has had satisfactory assistance in the selection of new employees and in the promotion of old ones.

During the 18 months that the Commission has been in existence there have been filed 536 applications, of which 131 were rejected, or the applicants failed to appear for examination. Of the number examined, 141 failed to pass the mental examination, while 45 failed to pass the physical examination, 220 applicants passed both the mental and physical examinations and were placed upon the eligible list; of this number 140 were appointed.

The eligible list at the present time only contains 32 names. In order to secure this comparatively small number of eligibles the Commission has been obliged to hold 55 different examinations.

Some curious things happen in connection with civil service reform in its incipiency. In this city, for instance, the applicants are nearly all of the same political party as the administration, notwithstanding the fact that under our rules a certain number of eligibles from the other political parties would eventually have to be appointed if they would make application and pass the examination. It seems to be so thoroughly understood in Denver that only the pet of the politician can secure appointment that nothing the Civil Service Commission has been able to do can get good men, particularly for the fire and police departments, to apply for the examination unless they have political backing; this condition will probably be corrected in time.

The charter of the City of Denver provides that the Commision shall certify to the auditor the name of every person in the classified service so that the auditor shall not issue a warrant to any person in the classified service not so certified. I believe that the rule should have gone farther and required the Commission to certify to each pay roll, for the reason that the Commission finds it fairly difficult to keep the auditor from paying warrants after the names should be taken from the pay roll. We have a case in court now brought by the Colorado Civil Service Reform Association, in which the auditor is being sued for paying the warrants of special policemen on election

day, 1904, without the certification of the Civil Service Commission.

In case the suit is decided against the auditor I trust the Civil Service Commission will amend the rules to provide for the certification of pay rolls of departments in the classified service. I mention this at this time because I think all Commissions in municipalities will probably have to adopt the same rule wherever the charter provisions give such power. It entails extra labor on the Commission, but, it is in my judgment the only means possible by which a check can be had upon employees in the classified service.

The political assessment clause in the charter is a constant "bone of contention" between the members of the Commission, or at least it is several weeks prior to any election. Civil service reformers throughout the United States should make a most earnest effort to see that the provisions in the city charters regarding political assessments and work at the polls on election days by employees in the classified service should be so strong and so mandatory that the Civil Service Commissions must take heed of these provisions.

The small measure of civil service which we have in Denver is a step in the right direction.

Presidential Offices, the United States Senate and a Merit System.

RICHARD HENRY DANA.

P OR three-quarters of a century the Presidential officials have, in the main, been appointed at the dictation of Senators for political purposes. These officers consist of all postmasters with salaries of \$1,000 a year or over, the foreign ministers and consuls, collectors of customs and internal revenue, district attorneys, Indian agents and a few others. There are about 7,000 of them, 5,406 being the higher postmasters. They form the great body of the chief executive officers of the country. With the exception of cabinet officers, foreign ambassadors and ministers, and possibly the district attorneys, the duties of these officials are in no way political. There is not a Democratic way and a Republican way of assorting and delivering letters. Enforcing the internal revenue and tariff laws is a matter of honesty and capacity, and not party opinion. To use these positions for purposes of party organization in aid of the political ambitions of Senators is not only an abuse of public trust, but, as it is hardly necessary to add, tends to political corruption and party despotism. Moreover, the public service ought to be a life career, with these higher positions as rewards gained by, and thus stimulating, special merit and ability. Indeed, the evils of the present system are so well known that the only question of to-day is as to the choice of remedy. The remedies proposed classify themselves into two kinds, one a personal one and the other institutional. The first is for the President, single-handed, as the laws are to-day, to fight the Senate, and the other is the establishing of definite methods of aiding the President in making appointments.

Mr. James Brice puts great importance on political

institutions. While the moral character of the people is fundamental, institutions which tend to make vice easy and virtue hard, or just the reverse, tend, on the one hand, to lower the fundamental morality and weaken its efficiency, or, on the other hand, to raise it and give it force and expression. He might have gone further and said, as his illustrations implied, that those institutions, to be useful, must be definite, visible and concrete. They must be like buoys, marking the channel, enabling the captain to note and the onlookers to see if the true course is kept. Without these buoys the best meaning pilot may unawares go astray, especially in the mists such as befog public life, and the onlookers cannot tell just when or how far the ship is diverted until too late to bring her back.

What better illustration of this principle can we have than in the history of our own reform? In the early part of the century, from 1830 on, the great statesmen, Webster, Calhoun, Clay and others, spied out the evils of the spoils system and foretold the enormities to which it would grow with truly prophetic vision. Party platforms demanded reform, and yet, when in power, the word of promise made to the ear has been broken to the hope—let me add perhaps also to the honest hope-of those that spoke it. No lasting reform was accomplished, however. until the passage of the Pendleton Bill. No lasting reform, I say. Indeed, there were transient reforms in exceptional cases, as in the Department of the Interior under our Schurz, in the Census under Carroll D. Wright, and in the Naval Office of New York under our Colonel Silas W. Burt. These transient efforts, however, only showed the need of more lasting institutions by the very ease and quickness with which their successors returned to the old methods. The Pendleton Bill, on the other hand, established definite, visible and, we believe, wisely planned institutions. How easy for an administration to follow in the right course thus marked out! The very small numher of changes in the positions under the civil service rules, compared with the nearly clean sweeps made contemporaneously in the places not under the law, with every change of party, illustrates the difference. Again, the onlookers—we civil service reformers and the public

generally—how easily we can see if the channel is kept in the part thus buoyed! In going over the record of an administration, it is easy to know whether or not the law is enforced and improved, and its scope enlarged, or the reverse, but when it comes to the unbuoyed part of the harbor, to the offices outside the law, we feel lost; just what influences a President has resisted or submitted to no one can exactly tell.

Again, as to the character of any special appointee, who can more than guess? One we suspect to be bad has the most glowing endorsement of clergymen, doctors, lawyers, bankers and railroad presidents for the highest character in his community. Another whom we suspect was chosen for political reasons, has a record for being a remarkably efficient and faithful official, as well as an active politician. Some of us may conclude, on the whole, that one administration is better or worse, has made fewer or more mistakes than another; but if our opinion is challenged, we have only a mass of hearsay evidence, gathered mostly from a partisan press, on which to rely.

Let us apply these principles, then, to our problem. The problem is no easy one, as Mr. Schurz said in an address at Baltimore two years ago. Let us examine the facts. The annual salary of these 7,000 Presidential officials is about \$15,000,000. The positions of Presidential postmasters and the important United States consuls make nearly nine-tenths of the total number. Except the foreign positions, these offices are scattered over the whole length and breadth of the country. They are by statute almost all four year term offices. By the Constitution of the United States the "President shall nominate and by and with the advice and consent of the Senate, shall appoint" these officials.* By Section 7 of the civil

^{*}It is possible that the higher grade postmasters may be such "inferior officers" as, by Act of Congress, may be made appointive without the consent of the Senate. Article 2 of Section 2 of the United States Constitution, after providing by name for the appointment as above of "ambassadors, other public ministers and consuls, judges of the supreme court," goes on, "and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such in-

service law, as commonly construed, they cannot be put under the civil service rules "unless by direction of the Senate."

As to the first plan of wholly ignoring the advice of the Senate, supposing it to be constitutional, how is the President to know the qualifications of the various applicants, or who, besides those applicants, might be better to fill the various vacancies, or who now in office are fit to be retained? On whom should he rely for information in the various cities from Santiago and Seattle in the West, to St. Augustine and Calais in the East? Lawyers, doctors, bankers and clergymen? But who will select these in cities not familiar to the President, and guarantee their advice to be non-political and wholly disinterested? How does he know that by relying on these strangers he is not playing into the hands of the very Senators whose interested advice we want him to avoid? Experience shows petitions signed by such people are very unreliable. An experienced official last Winter said, in substance, the smaller the capacity, the greater the applicant's endorsements. In some cases a President can, as President Roosevelt has, consult with some reliable friends as to the fitness of persons suggested by Senators for appointment, and require better suggestions if the first are bad, but such cases are exceptional. Taking the four year term law into account, a President has to consider about six appointments a day for every working day of his four years. In many cases, to be sure, reappointments will follow as a matter of course; but still the number of appointments is far too great for any President to manage without something to aid him in the choice. Even unopposed reappointments need consideration. The very lack of opposition often comes, not from any special fitness of the official, but because of his political usefulness to the Senators of his State. The President might say

ferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments." To change the law may be desirable, but it would be in the nature of a new institution to aid the President, and would belong in the second class of remedies. As the laws are to-day, the constitutional provisions as to appointment of first, second and third class postmasters are obligatory upon the President of the United States.

he would make no removals or failures to reappoint without cause. But President Cleveland, in following that policy, found it resulted in a vast number of charges being filed, too numerous for him personally, for his private secretary, or for any of his Cabinet officers to attend to.

The President might have a Board of Inquiry, or order an investigation by inspectors. But when we establish such a board, we come to the second class of remedies, namely, those visible, tangible institutions to regulate the subject, and are not relying upon the personal efforts of the President alone. Even here, we should have to secure the aid of Congress. The Postoffice Inspectors, for example, have too much work to do already, and more would have to be provided for if they were to look into all the charges, especially such a large number as would be filed on a change of party.

But, after all, would it be constitutional for the President, systematically and avowedly to fight the United States Senate and compel it to yield to his wishes in appointments? What is the true interpretation of the Constitution in this respect? First, I think we all agree, the President is bound to take the responsibility of the nominations. The nominations must be his. He should not yield to such dictation as Congressman Gardner tried to impose upon President Roosevelt in the case of the Postmaster at Haverhill, Massachusetts. I think we also all agree that the system of Senatorial courtesy, by which the Senators support the wishes of their co-Senators from the State in which the office is situated, and oppose all other nominations made by the President, regardless of the character of the selection made by those Senators, is contrary to the spirit of the Constitution and to the oath of office of the Senators. To be sure, in nine cases out of ten, the Senators of the particular State should know. better than any other Senators, who are best qualified to fill the offices in that State, and, in an equal number of cases, the other Senators know very little of the persons selected by Senators of other States, and hence we see that this bad system has some natural reason for its origin.

Our Constitution is made up of balances and checks, In construing it, we must remember that the framers were aware that the appointments would have to be made all over the country, and that each State had in its Senator one who knew more of the local conditions and the suitable men than the President could possibly know, except in his own State. It was also clear that its framers had a fear of giving too much power to the Executive, nor did they forsee the evils of a patronage system in a republic. On the whole, therefore, are we not forced to the conclusion that as the laws now stand, an appointment must represent in the end, at least an agreement between the Senate and the President? Of course, it is true that the Constitution refers to the Senate as a body and not to individual Senators in speaking of "advice and consent," but practically, how can a President come to an agreement with the Senate as a body without coming to an agreement with the leading Senators, and how can he practically know, nine times out of ten, who to appoint, without advising with some one familiar with the State in which the office is situated; and until we give him a better means of aiding him in his choice, who should be more responsible and who are more convenient than the Senators of the respective States, whose "advice and consent" must be considered, though we all agree that their advice is rarely disinterested? Though the President may be morally sure that the Senate is breaking its oath of office in standing by the Senatorial courtesy, is the unconstitutional and despotic remedy of systematically fighting the Senate, and bringing it into subjection to his wishes, the one we should advise his adopting?

I wish all this were otherwise, and we had no obstacle in the United States Constitution. If we could ride on our wishes, our journey would then be shorter. But must we not accept the facts, and bravely meet the obstacles as best we can? Public moralists have had the reputation in many instances of too frequently disregarding facts. In that lies the sting and force of calling them "theorists." Many of us have seen public moralists of two generations interested in the great questions of slavery, civil rights, prohibition, tariff and the like, and have we not been

pained and shocked to see how some have ignored patent facts, imagined others to exist—apparently because they thought they ought to exist in accord with and in furtherance of their own high purposes—and have accepted and repeated as true, statements which the least impartial investigation would show to be false? One prominent official of an organization, with whose purpose I have great sympathy, who does not hesitate to rush into print and censure and advise, recently wrote me that he doubted if it was wise for men of "deep convictions" to listen to both sides of a case. Nor is this failure to treat facts squarely limited to persons. Some public journals, which have done much to lead us to higher things, have yielded to this temptation. They may thereby have strengthened an argument, but they have injured both their cause and their influence. Like the captain of a ship who, having made inaccurate observations, is laying his course wrong, the longer he sticks to his mistake, the further he is from the haven where he would be, and too frequently he denounces his mates as in league with pirates and wreckers, or as wishing to reach a forbidden port, if they suggest his being wrong. He is so convinced of his own high moral purposes that he questions the integrity of all who differ from him.

I claim that civil service reformers have been unusually free from this failing in the main, partly, I believe, because they have dealt with concrete facts and because their remedy has been of a definite and practical nature. I have said all this because I hope we may still continue to lay our course with reference to an accurate observation of the actual situation. Let us then face the facts of the constitutional provisions regarding Presidential appointments, the practical difficulties of a President's selections all over the country without aid from somewhere, and the danger of substituting a Presidential machine and Presidential patronage for a Senatorial, if the President should once absolutely and fully wrest the appointing power from a defeated Senate. The fear of increasing the power of the executive is already finding frequent expression in the press.

Next we come to the consideration of some of the

more definite and visible institutions as a basis of reform. One suggestion was the policy of not making removals and not failing to reappoint without cause and having a proper investigation, to which I have already referred. Our whole policy heretofore, however, has been that a check on removals never served our purpose as well as a merit system in selection. In other words, we can control the composition of the audience at the entrances better than at the exits. As to the 5,400 Presidential postmasters, two plans have been suggested. One is the English method of filling each vacancy by promotion, partly from among the three postmasters of lower grade found by official records to be the most efficient, and partly from the classified postal service. In a paper called "How to Take the Postmasters out of Politics," read at our annual meeting in 1889, I suggested this plan combined with a division of the post office department outside of Washington into postal districts not only for the purposes of this plan, but for the better organization and administration of this vast government business in general. In an able report of a special committee of the League, composed of Messrs, Aiken, Foulke, Schurz, Storey and Wyman, in 1803, was a bill embodying these suggestions, adding a provision for a civil service examination for appointments to the third class, if no suitable person has applied for promotion, a condensed statement of the English experience, a full quotation of the United States Constitution regarding appointments, and other valuable data. This plan of promotion from one postoffice to another cannot, I fear, be put into operation without Congressional action, on account of a law passed since the above report of 1803, requiring a postmaster to be a resident of the city or town in which the office is situated. While a possible construction of the law is that a postmaster need be only a new resident at the time of his appointment, that was not the object sought by Congress, and doubtless Congress would quickly gain its object by a new clause tacked on the next postoffice appropriation bill. On account of the United States Constitution and for various other reasons independent of the residence provision, it has seemed advisable, if not legally necessary, that either an act of Congress or at the very least the assent of the Senate for such a plan should be obtained.

In 1895 President Cleveland started another institution. It is explained in full in a paper called "The Appointment and Tenure of Postmasters," which I read before this league in 1895. The plan was to make large central postoffices for each considerable district, such as the eastern part of Massachusetts, for example, with a postmaster at the head, and to make all the former postmasters of the combined offices in the district superintendents of divisions, thus bringing them under the civil service law. A trial was made in Boston and its suburbs. It resulted in increased economy and added facilities. The further extension of this effort, however, was completely blocked by an act of Congress, providing that no further consolidation should take place.

The sum and substance of all this is that whatever the details may be, we must, if we are to secure a permanent reform in the higher appointments, have some visible institutions to aid the President in making his selections. Probably other plans, better than any yet suggested, may be invented. But that there should be some plan we seem practically to have admitted. Some years ago we said a great deal about urging the then Presidents to apply the principles of the civil service law to those appointments outside of its operations. This has practically disappeared from our resolutions. The "Civil Service Record," while I was its editor, some fifteen years or more ago, took the ground that we had better concentrate our energies into bringing offices within some kind of definite merit system, rather than waste efforts in talking of applying its principles outside. Does not the appointment of and reports by committees on postmasters and consuls show a tacit abandonment of relving alone upon the personal efforts of a President? In fact, it reduces itself to this, that our government should be, as far as possible, a government of laws and not of men.

I may be mistaken in all this; if so, let us discuss the matter and show wherein the facts I state or my conclusions are wrong, and if any one can find an easier, constitutional and as permanent a way to secure our results,

so much the better; but if not, let us take hold at once, discuss the best plans for aiding the President in his selections, and when we have made out our sailing directions, start to educate public opinion, and finally persuade Congress or the Senate, as the case may be, to adopt them.

Finally, fellow-members, what is our duty? Since the passage of the Pendleton bill our work in the federal field has been chiefly critical. Has not the time come for some constructive action? We are the National Civil Service Reform League. The public, from whom we ask money to meet our expenses, look to us to solve just such difficult problems. Let us take a note from the Japanese, and be prepared, when our opportunity comes, to act "as previously arranged." Does not this seem a more rational way to accomplish our aims than to sit still and wait for some giant of a President to slay the United States Senate?

PROFESSOR JOHN A. FAIRLIE—I have paid some attention to the study of systems of administrative organization in other countries, and two points occurred to me in connection with the methods of organization that may have some bearing on the points brought out in the paper.

One relates to constitutional difficulties. I am not certain whether Mr. Dana meant to imply that all the Presidential post offices in the United States are constitutionally limited to appointments by the President and confirmation by the Senate. If so, I think it is fairly clear that that is not the case. It is true that the diplomatic officers and consular appointments are by the constitution within the limits of the officers who must be appointed by the President and confirmed by the Senate: but I can see nothing in the constitution which would prevent the delegation of the appointment of postmasters. Whether that is politically feasible or not I cannot say; but constitutionally it seems to me entirely proper. And I may say also, in regard to that matter, that that system is certainly used in all other countries. There is no other country where the selection of the local officials is made by the chief of the state. Such matters always fall within the jurisdiction of the head of the department.

The second point that occurred to me was in connection with the absence of any systematic employment of local district officials within our executive departments at Washington. The situation in regard to the post office system is perhaps the most striking of all. Under our present arrangement the only officials, acting between the local postmasters over the whole of this country and the central offices in Washington, are the travelling post office inspectors. Every other country in the world uses a system of intermediate district officials to supervise the local officials within their districts. Now the establishment of such a system of district officials would not. of course, completely eliminate political influences, but would establish a system of machinery that would tend somewhat to reduce such influences. Such district officials would be in a position to know and learn more definitely which ones of the local postmasters were best qualified for promotion and transfer.

I make these remarks, not in criticism of anything Mr. Dana has said, but it seems to me that they are facts about conditions elsewhere, and constitutional questions, which

are not perhaps generally recognized.

MR. RICHARD HENRY DANA—Of course I do not mean that the establishment by law of various classes of postmasters, some of which (the fourth class postmasters) are to be appointed by the Postmaster General, and the rest by the President with the advice and consent of the Senate, depends in that classification on the constitution of the United States. Under the constitution, however, until the Congress by law has vested the appointment of postmasters elsewhere they must be appointed by the President by and with the advice and consent of the Senate. Congress has taken no such action. Therefore it is that I think it would be unconstitutional for the President to ignore the power of and override the Senate.

The issue is this: A good many people have been urging each President as he came along to take the appointments wholly into his own hands, and to fight the United States Senate, if without satisfactory cause it

fails to confirm. That is the position taken by a good many persons, and very influential persons too, especially in the heat of a campaign, when they are desirous of making points against a President perhaps; but also at other times.

The suggestion that Congress might change the laws and vest the appointment of first, second and third class postmasters in the President alone, or in the postmaster general, and then, when that is done, put these positions under the civil service rules, which can be accomplished by executive action, seems to me to be a new and valuable suggestion. But this, however, requires a change of law, and comes in the second class of remedies, namely, the adoption of some institution. It is a suggestion to be discussed, among others, and when we have decided upon the proper remedy we should urge adoption by Congress.

The matter of having the United States post office divided into districts, and having the district superintendent direct each district, is a strong point that I made in a paper as far back as 1889. It has been recommended by almost every postmaster general since Dickinson, who was the first one I know of to recommend it. There is not a large railroad or a large express company, like the American, the United States or the Adams Express Company, and there is not a large telephone company in this country that has an extended service, that has not divided its territory into districts, with a superintendent in each, who knows the local conditions and can advise the head of his department, or the proper officials, as to what is best to be done in those districts, what changes are needed and how the service within the particular district can be expedited and improved. But in the United States government there is absolutely no such organization; and there is no way of getting any improvement made except by public pressure brought against an immense inert mass. If a postmaster, say at Saratoga, should suggest that a few more sorters of letters would enable him to assort the letters in time to catch the evening mail that goes down to New York (instead of having the letters wait for the morning mail), thereby saving practically a · business day, his recommendation would be pigeon-holed

and he would be told that he had nothing to do with making recommendations. Yet nobody in Washington knows anything about the local conditions. The postmaster general, and the first, second, third and fourth assistant postmasters general, are all political officials, so busy with distributing the offices in the early part of their administration that they have but little time to attend to business. The post office inspectors are mere accountants and detectives. All experts admit that the United States, leaving out the railway mail service and one or two other special departments, has the worst post office system of any civilized country in the world. So much so that several vastly important improvements, adopted generally 30 years ago, have not been adopted in the United States to-day! And I think that all comes about because the offices of postmasters and postmasters general have all been treated as partisan spoils, and the incumbents shifted and changed with every administration. Congress has never taken sufficient interest to try to reorganize the service in a proper way.

To come back to the main point: All these remedies we are now speaking of are outside the personal powers of the President. We have got to go to Congress, secure legislation, and adopt other measures besides. And that is my point; that in the present state of the laws it is neither wise nor constitutional for the President to

"fight the Senate."

Is it wise? Do we want to advise the contest? Do we not rather want to have our laws changed and have some institution provided which will help the President to make selections, in such a way that in this vast service, which is growing rapidly all over the country, we may have an intelligent method of appointment and the offices taken out of politics?

The Relation of Civil Service Reform to Municipal Administration.

PROF. JOHN A. FAIRLIE, OF THE UNIVERSITY OF MICHIGAN.

THE problems of municipal administration present a manifold and complex variety of topics. Some are political, such as the regulation of nomination and election methods. Some dealing with the machinery of local organization and the relations of the city to the State government, are administrative. Others involve questions of economic policy as to the proper scope of municipal activity. While still others embrace in themselves a wide variety of problems in engineering, sanitary science and other technical subjects.

It is the purpose of this paper to consider only one aspect of the administrative problems, the application of the principles of civil service reform in the organization of municipal government. These principles hardly need to be enumerated here. But they may be briefly summarized as the selection of public officials and employees on the basis of their ability and fitness for their public duties, rather than as rewards or opportunities for private or party service; and the maintenance of the public service on the basis of honesty and the highest efficiency.

That any discussion or argument in support of these principles is necessary is of itself evidence of a strange misconception of the purposes of municipal government. And it is surely enough to establish the fundamental principles to point to the laws creating public positions and prescribing their duties. These at least assume that the public servants are provided to perform public functions.*

^{*}The standard treatise on the law of public officers states that it is the duty of the governor to see that fit and competent officials are appointed by him.—Mechem: Public Officers, Sec. 590. And the same principle must apply also to municipal appointments.

And the hardiest spoils politicians have not yet ventured to place their principle "To the victors belong the spoils" openly on the statute book.

Nevertheless, it is only too clear, that the plain intent of the law is frequently and systematically evaded in most of our large cities. Appointments are made of persons who have little or no competence for their positions, as rewards for past or future political services. And to make room for such appointments experienced officials and employees are removed. As a result the public service is notoriously inefficient and at times almost demoralized. The inherent dishonesty to the community in such appointments makes it an easy step to more flagrant neglect of duty and corruption of the worst sort. While the whole system tends to debauch and corrupt the electorate by offering places for votes.

Looking simply at its direct effect on municipal administration, a brief analysis will show the importance of efficient and expert officials. Municipal administration is already a complicated series of technical services. To maintain order and security a police force must be maintained, under semi-military discipline, requiring qualifications of physical strength, courage and honesty for any effective work. To prevent destruction by fire, there must be a fire department, whose members should have the highest physical skill and technical knowledge of the intricate apparatus used. To safeguard the health of the community there must be a department with expert sanitarians, chemists and bacteriologists. To provide the essential conveniences of city life there must be civil enginers to lay out streets and construct pavements and sewers, hydraulic engineers to manage water works, and sanitary engineers to solve the problems of garbage and sewage disposal. To lay out and care for the public parks there must be landscape architects and gardeners. To administer public charity wisely and not wastefully requires trained students of practical philanthropy; and in public hospitals a corps of physicians and trained nurses. To carry out the policy of public education there must be not only competent elementary teachers, but in the high schools those with the highest specialized education, and

over all efficient educational administrators. To keep track of the finances in these various fields of expenditure demands a force of expert accountants; and to equitably assess taxes there should be an equally expert body of assessors. While to deal with the many legal questions which arise, every large city must employ a number of attorneys, specially versed in questions of municipal law.

Our cities do not have to wait for municipal street railways to be face to face with most serious problems of technical administration. Even now the corps of municipal officials and employees represents every main division of industrial and professional life. Lawyers, teachers, accountants, engineers of almost every sort, besides executive administrators, are essential to carry out the accepted functions of municipal government.

Positions such as these cannot safely be filled on any such basis as political service. Each field is a special profession requiring years of training; and those who are most competent have too many opportunities in private business to devote much time to political campaigning; while they are also likely to hesitate about accepting a municipal position with the uncertain tenure of a political appointment. Moreover, the municipal service for most of these professions is of itself a specialized branch, where the highest degree of efficiency can only be secured by continued practice. A city attorney who serves only for a few years cannot be so competent in the law on municipal questions as a corporation lawyer who devotes his life to corporation law is on that subject. And a civil engineer who serves for a while as a city officer and then in railroad building is not likely to be either the most competent city engineer or the most competent railroad engineer. What is needed is a class of municipal specialists in law, accounting, engineering and other fields of action. And these can only be secured under a system of selection which excludes political motives and insures a tenure based only on efficiency and competence.

Conditions in this regard are different from those in earlier periods. It has sometimes seemed to me that there was a certain harmony between the principle of rotation in office and conditions which prevailed in this country during the first half of the nineteenth century. While the country was being settled there was a constant movement of population from place to place and frequent changes of occupation. Short terms of office and frequent changes were then in accord with the restless customs and practices of the people in their private business. And it might have been argued that an officeholder who wished to hold an office for many years doubtless lacked the ability to take advantage of opportunities for bettering his situation.

But these conditions are no longer in force. At the present time the jack-of-all-trades is almost certainly so because he lacks the ability to become master of one. The successful man in private business is the specialist who devotes his life to one purpose. And what is true of the individual in private life is true also for those who hold positions in the municipal or other public service. The largest results will come by division of labor and concentration of effort. The best public servants will be those who give the longest time to the public service; and that city or State will get the best results which looks for the most capable men and keeps them in its service so as to secure the advantage of their increasing experience.

Some steps have been taken to apply the principles laid down to the municipal service. Systems of civil service examinations have been established in a number of cities applying to most of the subordinate positions. Appointments to these positions are based on the results of open competitive examinations and probationary service; with the result that these places are to a large extent taken "out of politics." In some other cities the police and fire departments are more or less protected against political appointments. And more generally school teachers are selected with comparatively little reference to political influence.

Into the details of these systems it is not necessary to go here. They have placed a smaller or larger part of the municipal employees on a sound administrative footing; and although the law is sometimes evaded by hostile officials, the results have been a great improvement in the standards of municipal work. In other cities efforts

towards the same end are being made. And the extensions of these systems as rapidly and as far as possible is one of the most important municipal reforms at the present time.

But what has been accomplished in most of these cases applies mainly to the subordinate posts in the municipal service. These are by far the largest in number. But the important positions, and above all the officers as distinguished from the employees of our cities, are still chosen largely or mainly for political reasons. And until these too are chosen solely for ability, competence and honesty, no satisfactory municipal administration can be secured.

Political appointments to the higher posts affect the character of municipal work in two ways. Such officials are likely to seek to evade whatever regulations are established for the subordinate service so as to reward their political supporters; and in this way they prove a constant obstacle in the application of the merit system so far as introduced. But of even more importance is the fact that it is in the case of the higher officials that incompetence and inexperience proves most costly to the city. Some gain is made when the clerical and routine work is well done. But much more is lost if serious blunders are made in the main plans, or in the direction of their execution.

Incompetent city engineers may easily double the necessary cost of an important scheme of public improvement. City comptrollers have generally had so little knowledge of accounting that it is almost impossible for any one to understand their financial reports. City attorneys who know more politics than law are likely to recommend useless litigation and in other cases to surrender the legal rights of the city. And city clerks who are changed every few years cannot perform one of their main functions as a source of information on the previous actions of the municipal government.

How can these principles of civil service reform be applied to these higher municipal officials? The methods employed in selecting employees for subordinate positions will hardly be in every detail the most effective for these

more important posts. Something more is needed than a test of their technical knowledge. What is wanted are those who know best how to apply their knowledge in a constructive manner, and those who have the peculiar form of ability known as executive or business capacity. Moreover, for these posts the test of brief probationary appointments cannot well be applied. For those best fitted for such places will be already engaged in similar work, and are not likely to abandon a permanent position for a probationary appointment in the public service.

These difficulties require some changes in methods. But such changes of detail are by no means impossible or inconsistent with the main principles of the merit system. The important point is to find the methods best adapted for various classes of offices.

One of the first steps that must be taken in many cities is to take these higher administrative posts out of the class of elective offices. Popular election necessarily introduces political factors into the choice of officers, and for officers who have political functions to perform popular election is essential in a democratic government. But city clerks, city attorneys, city comptrollers, commissioners of public works and city engineers have no political functions to perform. Their work not only has no relation to national politics; it has no relation to municipal politics. Their duties are strictly administrative and call for the same qualifications whether a city votes for or against municipal ownership, and whether it votes for or against a "wide open" saloon policy. And whatever other method is employed, it is clear that popular election is not the best method to test technical and administrative ability. Moreover, by removing such officers from the elective list, the attention of the voters will be concentrated on the personal merits of the candidates for the political offices, and better results may be hoped for the latter under such conditions.

But appointments, whether by mayor or council, will be made by political officials; and, so far as discretion is left to them, there is still the danger that political motives will be a controlling factor. To reduce this danger, another step, which is still within the purposes of this Association, is to eliminate the official recognition of national parties in municipal elections. I am not at all confident that it is possible by law to prevent the national party organizations from taking an active part in local campaigns. But at least the law should not recognize them officially, and should require each candidate for municipal office to appear on the ballot simply as an individual. This will not eliminate politics, or even national politics, from municipal elections. But it will tend to reduce these factors to some extent.

In the next place, appointments to the higher positions should be for an indefinite term. The power of removal must be retained for such offices, as a means of control over incompetent officials; and this will make it possible for removals to be made for political reasons. But to create a vacancy by removal is at least somewhat more difficult than to find one by the expiration of a definite term. And the law at least will stand for the principle that the competent officials are to be retained so long as they perform their duties satisfactorily. This rule has been established in the new Indiana municipal code. It also applies to most of the heads of departments in New York City; and is probably responsible for the retention of one commissioner appointed by Mayor Low in the present administration.

These various provisions, it is believed, will do something towards reducing political influences in filling the higher offices. But they can hardly be expected to secure their disappearance and the selection of these officers mainly from considerations of ability and experience. For that purpose, some provision must be made for a systematic investigation of the qualifications of various applicants, so as to determine who is best fitted for the place.

Such an investigation should, however, be somewhat different from the examinations for subordinate places. It should test not only technical knowledge, but also practical experience and constructive ability. Such tests can be applied. They are now used in many cases by the United States Civil Service Commission, for technical and professional positions in the national administration. They are used to a large extent in the system for regulat-

ing admission to the higher branches of the Paris municipal service. In the latter case, the more important part of the test for candidates is a detailed report on a special topic within the field of his work. The same idea is recognized in our universities in conferring the degree of doctor of philosophy, where the thesis showing the candidates personal research and constructive ability, is of at least equal importance with the general examination. In the same way, candidates for the higher municipal offices could be asked to submit statements of their practical experience and some examples of their constructive work.

Moreover, in order that practical experience may be given its full advantage, the competition for these higher municipal posts should not be limited to residents of the city, but should be thrown open to any one. Already this rule is largely recognized in the election of school superintendents, and it is generally felt that these are the most capable and efficient of our higher municipal officials. In England, vacancies in such positions as town clerk and borough engineer are advertised and applications are made from all over the country. In Germany, it has even happened that a mayor has been chosen in Berlin on the basis of his record in a smaller city. By making these higher positions open to all candidates, the large cities can get the benefit of experience and ability proven in actual service.

Another feature of the regulations for the higher municipal service in Paris might well be adopted for the higher offices in this country. This is an examination in the system of public administration. Very many of our public officials—or indeed of the best educated citizens—have no clear idea of even the main principles of our system of local government. Yet they must act in accordance with the laws establishing the government; and in their ignorance often make serious mistakes which lead to protracted litigation. A definite knowledge of our system of administration on the part of public officials would save our cities much trouble and expense.

By such methods a merit system can be applied to the higher posts, as well as the subordinate places, in the municipal service. And these reforms are among the most important needed in municipal administration at the present time. Without them no city can successfully perform the functions it is now undertaking. And without them there can be no safe extension of municipal activities into new fields.

Nor does the merit system involve any departure from the fundamental principles of American government. On the contrary, it is the most direct method of putting them into effect. As one writer has well said:

"This system is democratic, for it gives every citizen an equal opportunity to participate in the public service according to his fitness. It is economical, because it brings into office competent persons who work for their wages and are not required to spend half the city's time "hustling" for votes or organizing political clubs. It is scientific because, through permanence of official tenure, it develops specialists in every department of city administration."*

MR. MERRITT STARR—I should like to dwell for a moment on the importance of making examinations concrete, specific and practical. Our President dwelt on that point in the report of the council, and the paper just read touches in a specific way on the importance of this phase of examination in municipal service.

I can illustrate its value in the strengthening of the reform, by a chapter of experiences in the campaign for a State law, which I went through. It turned out that we got perhaps the greatest amount of support for a State law from an element in Illinois that is as yet unrewarded, and is disappointed in not having the reform reach its field. I refer to the country dealers in grain, who, at the little railway stations throughout the State, have established small elevators to collect the crops from the farms and then ship them to Chicago or to one or two other points where the State Board of Railroad and Warehouse Commissioners maintain inspectors of grain. They have their grain classified by men who have no more qualifica-

^{*} D. F. Wilcox: The American City, p. 300.

tion for passing on the grain which they classify and inspect, than, as was said in an indignant way at one of our meetings, they have to pass on the number of seeds in a pumpkin by shutting their eyes and sticking knives into it.

Farmers and countrymen are interested in that matter. When you can make them know that civil service reform touches their interests in this practical way, you will have

the vote of the people in favor of reform.

I should be glad if at our meeting, from year to year, there was a great case full of sample examination papers from boards of examiners, who have had experience, and if among the pamphlets which we send out were sample examination papers, which would come into the hands of new commissioners. We have got new commissioners in our State now, and you are going to have new commissioners here in Wisconsin. If they could have the benefit of the experience of commissioners who have been at work on the subject for years, it would help greatly to make their examinations of a practical character, and to make them of a kind that the people can appreciate.

That all goes to illustrate what President Roosevelt has urged so often as a cure for many evils in our administrative system—publicity is the thing we want. Publicity in the character of our examinations would be of the highest importance. The law says examinations shall be open, public and competitive. But they are advertised in a perfunctory manner, in fine print, in the corner of some little newspaper and the average citizen, who hears from the leader of his party that the examinations are written by schoolmasters and are impractical, believes it. He does not know what a civil service examination is. We ought to bring the character of those examinations home to the people at large. Pamphletize and distribute examination papers, and make people know what they are like.

Publicity can be had again in another way. The first voluntary board of commissioners that we had in Chicago took this method of dealing with candidates for drivers of hose carts. They announced that there would be a competitive examination of applicants for drivers of hose carts at the South Park, and there was an audience

of over a thousand people present to see those candidates compete in the driving of those carts. That illustrates one manner in which examinations can be made public. I wish the examinations could be made more public, and that more could be known about them.

MR. RICHARD HENRY DANA.—Would not Mr. Cooley tell us something of the experience which he has had in Washington examinations, with a special reference to testing the organizing and executive ability of the applicants?

Hon. Alford W. Cooley—I think on the whole these examinations have been very successful. Of course the classic instance is the examination for superintending architects of the Treasury Department. That examination was not a written examination at all. We simply required the competitors to file plans of buildings which they had themselves put up. They had also to file a statement of their previous training and experience. I might say that that is a kind of examination we frequently hold. We are about to hold an examination of that kind for consulting electrical engineer for the Navy Department. do not suppose there will be any written questions in that examination at all. To begin with, I do not know where we would find anyone to rate the answers, because we expect some of the best men in the country to compete; and each applicant will simply file, first of all, a statement in regard to his education, he will say what training he has received, what degrees he holds, and what electrical plants he has installed, and on that statement his papers will be rated by experts; and that is in general the system we follow for those high grade positions.

We have some high grade scientific positions, for example, where we require a statement in regard to education and experience, and also in regard to degrees held by the applicant, and in addition require them to submit a list of articles or pamphlets or books they have pub-

lished along the line of their special subject, and I believe that these examinations have been extremely successful.

I think we have had comparatively little difficulty in getting men who have considerable executive ability.

The Overthrow of the Spoils System in Philadelphia.

HON. CLINTON ROGERS WOODRUFF.

WANT to be congratulated for what I do, rather

than for what I say."

So Mayor Weaver declared himself to a committee of the Pennsylvania Civil Service Reform Association on the occasion of a visit which it paid him to express appreciation of what he had already done and to urge his support of measures intended to make permanent the reforms he had introduced. Mayor Weaver, however, is entitled to be congratulated upon what he has accomplished, as well as for what he has promised to do.

At the very beginning of the revolution which has wrought such marvelous and far-reaching changes in the politics of Philadelphia, he removed the machine Secretary of the Civil Service Board, who had made of what little merit system the Bullitt Bill provided, a farce and a

'aughing stock.

Under the greater part of the administration of Rolla Dance as Secretary of the Civil Service Board, examinations were held in absolute secrecy. The public was in nowise advised as to the time and place of examinations or their results. All it knew or was allowed to know was that certain men had been chosen by the bosses for certain positions, and that in due time they were appointed with unfailing and invariable regularity. The civil service system was used only to keep out those who were objectionable to the bosses. Personation, as has since been disclosed, was a frequent thing, and the eligible list a transcript of the bosses' orders and wishes. In short, the office was an adjunct of the "Organization," utilized to give force and effect to its decrees.

One of Mayor Weaver's earliest acts after his dismissal of Directors Smyth and Costello was to relieve Mr. Dance and to appoint in his place and stead the Hon. Frank M. Riter, a former member of the Legislature and a former Director of Public Safety, a man of high personal character, a lawyer in good standing, a public official of tried and known merits. Mr. Riter represents what Mr. Dance did not. Mr. Riter believes in the enforcement of the law in spirit and letter. He has been consistent in his administration of it, even holding an examination for the appointment of his own clerks. Real competition has been inaugurated. The widest publicity has been given as to the time and place and results of examinations, which are of a searching and practical character.

A most striking illustration of the new order of things in Philadelphia so far as the civil service is concerned, is to be found in the selection of J. A. Hunter as Chief of the Bureau of Highways. The former incumbent having resigned, a temporary appointment was made. This temporary appointee, with other candidates, took the examination held to select an eligible list for the vacancy. Only one of the applicants, J. A. Hunter, passed. Mr. Hunter had no political influence, in fact was unknown in politics and in the city. A careful and painstaking investigation of his previous record, however, disclosed the fact that he had had an honorable career in the federal service and that he had discharged the duties of his previous positions with credit and intelligence. Mr. Hunter was finally appointed in the face of strong political pressure to the contrary, and thus the merit system was made to mean something. As the Philadelphia Press declared at the time, "This and the result of certain other examinations recently held have somewhat surprised people, but only because they had been well aware of the fact that the system so long practiced was a sham. The law was practically annulled and the examinations were a farce. No one not a political favorite could hope for any consideration. Perfection in examination went for nothing. Everybody knew this and it was useless for any one to compete unless sure in advance of authoritative favor.

The confidence that Mayor Weaver would treat the civil service law in entire good faith is fully justified."

Another important step taken by Mayor Weaver last spring was the suspension of all the eligible lists certified under the old regime. New ones were prepared as rapidly as possible under Mr. Riter's supervision and these are now being utilized by the heads of the departments in

making appointments.

The existing condition, so far as it relates to the rules and regulations, is chaotic. No attention seems to have been paid to the subject for years. Secretary Riter has drafted a new code of rules which have the hearty approval of the Executive Committee of the Civil Service Reform Association. They must be adopted, however, before they become effective by the Civil Service Board, which is composed of the Mayor and the heads of the departments, including not only the four directors appointed by the Mayor, but the City Solicitor, the Controller, the Tax Receiver, City Treasurer and the President of the Board of Education.

All of these measures have been in the direction of making the merit system in Philadelphia a real and vital force and are intended to place the city's service upon a substantial basis of efficiency. As they depend, however, largely upon the good will of Mayor Weaver and Mr. Riter, concerning which there is no doubt, to be permanently effective they must be given the force and effect of law. To this end, the Civil Service Reform Association of Pennsylvania is seeking to have enacted at the next regular session of the Legislature a comprehensive civil service law which will permanently and effectively establish the merit system not only in Philadelphia, but in all the other municipalities of the commonwealth, where the need is quite as great as in Philadelphia, and in the State government.

During the campaign which ended November 7th last, there was some complaint that office holders were actively engaged in politics. There seems to be no doubt that this was the case in some instances, but there was a tendency to condone it and in a measure to justify it, on the ground that the city was face to face with a great

crisis, which could only be successfully met by extraordinary measures. Since the election, however, there has been a wholesome public sentiment manifested in many directions against the further participation of municipal employes in politics. Mayor Weaver was one of the first to give forceful utterance to this public sentiment, declaring his position at the City Club dinner on November

28th in the following unequivocal language:

The office holders should be fully divorced from all political relation to the makers of nominations or the conduct of elections. No man on a public payroll should be permitted to act as a member of any political committee or convention or engage in any form of political activity. With the casting of his own vote his political duties and activities should end. This limitation upon the office-holding class should be absolute. The police force on election day should be as independent and aloof from politics as the judge on the bench. So too, political assessments of officials should not only be made a crime, but even voluntary contributions to political parties should be prohibited. The money of the people should not be used in frustrating their will.

By this means, the vice of patronage will be minimized if not frustrated, and elections will be free from a most dangerous and subversive foe. There can be no free election when from ten to twenty thousand paid public officials in a single city are let loose at conventions and on election day to save their offices

and frustrate the will of the independent voter.

This position (which was substantially the one followed by Mayor McCormick, of Harrisburg, during his noteworthy administration) has been strengthened by the issuance of the following order to the heads of the bureaus of fire and police by the Director of Public Safety:

Sir:—In view of the approaching primary elections of the several parties. I deem it important that a general order should be issued by your Bureau, stating the future status of the employes of your Bureau respecting all political organizations. You are, therefore, directed to issue the following order:

No employe of this Bureau shall hereafter be a member of any ward or other committee of any political party whatsoever, nor shall any such employe hereafter be a delegate to any con-

vention of any political party.

No employe of this Bureau shall be deprived of his right to cast his ballot at any public election for such person or persons as he may choose, but, during his hours of public employment, he shall not engage in political discussion or the solicitation of votes, or in any other work whatsoever than that which is incident to his employment.

No orders or directions shall be received or obeyed, except such as are properly promulgated by the Director of Public Safety, the Chief of the Bureau, or such subordinate therein having the right by virtue of his office to give such orders or directions, and no orders or directions shall be given or promulgated within the Bureau, except such as pertain to the business and purposes of the Bureau and the employment in which the members of the Bureau are engaged.

It is the declared intention of Mayor Weaver and Director Potter that the Mayor's declaration and the Director's order shall be carried out in the letter and in the spirit of their conception. To quote again the language of the Philadelphia Press, "The recent reform in this city has borne such abundant and varied harvest that it is difficult to name the most gratifying and important product. We believe, however, that the emancipation of the police should be given a high place in the list of prizes gained. They are no longer under the orders of ward bosses, they are no longer a farce and act as agents and errand boys in their off-hours for so-called political leaders. If they must engage in political work they are free to do so, but they must cease to be policemen first." In fact the administration's policy in regard to participation of policemen in politics is, as the Ledger declares, "of the essence of reform," and it is to be hoped that the rule will be extended in its application to every other department of the city government.

Notwithstanding the striking accomplishments of the present administration in the direction of the establishment of the merit system and the diversion of municipal employees from politics, it must not be concluded that the spoils system in Philadelphia or in Pennsylvania is entirely overthrown. It has received a severe check and bids fair to receive still further checks, but so long as there prevails in the community a sentiment to the effect that political service should be rewarded by public office,

just so long will the spoils system thrive.

Since the recent election, I regret to say there has been a great scramble for office on the part of those who helped make the City Party victory possible. There are seventy-five places to be filled in the sheriff's, city commissioner's and coroner's offices. The latest calculation of the number of applicants for these places fixes the number at two thousand. Since election every one more

or less actively identified with the City Party has been besieged by applicants for office. In most cases the principal plea has been, not merit or fitness, but the fact that the applicant has been an active factor in the successful revolt. The President of our Association wrote to one of these applicants: "I have yours of December 1st and, of course, remember very well your good work in the past, and I have no doubt that you were equally interested in the City Party. I could not, however, consistently advocate your appointment to office on these grounds, as I have always maintained that political service should not count in such matters, but that all appointments to office should be made solely because of fitness for the position to be filled. Probably you are well equipped for the duties of the ——, but of this I have no personal knowledge and therefore could not recommend vou. I would suggest therefore that you make your application on this basis and that you get some of your friends who know your professional record to support your claim."

The City Party leaders are doing their utmost to stem the tide of office-seekers. The chairman of the committee has refused to accept an appointment as solicitor to the sheriff and the secretary of the city committee has publicly declared: "Since election there have appeared from time to time statements to the effect that I am seeking or expecting to receive an appointment as real estate deputy to the sheriff. I desire to take this opportunity of saying that I have not sought nor am I now seeking or expecting an appointive position of any kind. Workers, many of them, are still needed in the field and

that is where I expect to be found."

The City Committee of the City Party has placed itself on record to the effect that "no person holding an appointive salaried office under the national, State, county or city government shall be eligible to membership in the city or any ward committee of the City Party and the acceptance or retention of such an office shall be equivalent to his resignation from such city or ward committee."

Thus it will be seen that those who are in the forefront of the battle are using their endeavors in the right direction, but the spoils spirit still exists, and can only be successfully eradicated by further education. To this end the Civil Service Reform Association of Pennsylvania is bending its energies. It is providing for an extended campaign on the most approved modern lines. It is proposed to establish a department of publicity with ramifications in every part of the State to direct public attention to the evils of the spoils system and to the necessity of enacting adequate legislation for the establishment of the merit system.

In a recently issued leaflet entitled "The Powers of the Mayor," the Association has declared that it is almost universally recognized that it is only by concentrating executive authority and responsibility in the Mayor that it is possible to secure a high degree of ability and efficiency:

There have been few things that have been more clearly demonstrated by long experience than the truth, that under our form of government there can be no serious development of bossism unless it is supported by the power to distribute the public offices and appointments as rewards for personal or political services.

The history of Philadelphia in recent years has been especially fruitful in conclusive proofs that the power to distribute appointments for private reasons is the one indispensable essential for the achievement or continuance of bossism and its accompanying evils. But while that power is a vital necessity for a boss, it is not only unnecessary, but it is in many ways a grievous burden and inconvenience for the officials whose dominant purpose is the promotion of public interests.

This was the plain and evident intent of the Bullitt Bill, and the failure of that bill to accomplish the results expected from it has been due to the fact that its civil service provisions were inadequate. Its most fatal defect was in vesting the control of the system in the appointing officers, who were thus enabled to

make and change or ignore the rules as they pleased.

The bill which is to be submitted to the Legislature by this Association has been very carefully prepared as a remedy for the

defects and omissions of the Bullitt Bill.

To sum up—Mayor Weaver has taken the outposts of the spoils system and so long as he and Secretary Riter remain in office they will dominate the situation. There will be fair, free, open, competitive examinations to determine the fitness of applicants for office. Those shown to be best fitted by ability and experience will be appointed. Municipal officials will not be expected to do political duty. Large numbers of them will be positively forbidden by the operation of the bureau rules already promulgated.

On the record Mayor Weaver is entitled to congratulations. His promises of future action have greater value because of past performance. The future, however, lies in the hands of the people of Philadelphia. If they approve of what has been done and is being done they will insist upon giving the force and effect of law to that which now depends upon executive fiat. They will insist on the enactment of the Association's civil service bill and upon its companion measure designed to prohibit the receipt or collection by the officers and employes of the city of political contributions or assessments.

The present record must be made permanent through appropriate legislation, but over and beyond this the people must cease from regarding public office as the proper reward for political service. Philadelphia and her citizens have travelled far on this road during the past year. May the coming months witness a still greater progress toward the goal of a purified and efficient public service!

ORGANIZATION

OF THE

National Civil Service Reform League.

CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

With the approval of the Council the Secretary may organize Correspondence Committees, of not less than three members, for the promotion of the work of the League in localities where there is no Civil Service Reform Association;

the members of such Committees shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer. who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be

chosen, and may be removed, by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be ex-officio members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice President may be filled by the Council until the mannual eeting next following.

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ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

- § 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.
- § 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.
- § 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.
- § 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.
- § 5. The order of business at each meeting of the Council shall be:
 - The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

- 2. The admission of new Associations.
- 3. Statement of the Treasurer.
- 4. Report from the office of the Secretary.
- 5. Reports of Standing Committees.

- 6. Reports of Special Committees.
- 7. Miscellaneous business.
- § 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:
- (1) A Committee on Finance, to consist of not less than nine members;
- (2) A Committee on Publication, to consist of at least three members; and, ex-officio, the Secretary and the President of the League; and
- (3) A Committee on Law, to consist of at least four members, and, ex-officio, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occuring in any one of them may be filled by the Chairman of the Council.

- § 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:
- (1) A Committee on Nominations, to consist of six members and, ex-officio, the Chairman of the Council.
- (2) A Committee on Resolutions, to consist of six members, and, ex-officio, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

- (3) A Committee on Report and Programme, to consist of two members, and, ex-officio, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.
- § 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.

PROCEEDINGS

AT THE ANNUAL MEETING OF

The National Civil Service Reform League

HELD AT

NEW HAVEN, CONN., NOV. 19 AND 20, 1906

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

PUBLISHED FOR THE
NATIONAL CIVIL SERVICE REFORM LEAGUE
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ANNUAL MEETING

OF THE

NATIONAL CIVIL SERVICE REFORM LEAGUE.

NOVEMBER 19 AND 20, 1906.

PURSUANT to a call, duly issued, the Twenty-sixth Annual Meeting of the National Civil Service Reform League was held at New Haven, Connecticut, the 19th and 20th of November, 1906. Delegates from Civil Service Reform Associations and Auxiliaries in attendance during the several sessions were the following:

Buffalo: Frederic Almy, William A. Douglas,

Henry A. Richmond, Ansley Wilcox.

CAMBRIDGE: Archibald M. Howe, Morrill Wyman.

CINCINNATI: Charles B. Wilby.
CONNECTICUT: General William A. Aiken, James Kingsley Blake, John C. Brinsmade, Charles Hopkins Clark, Benjamin R. English, Prof. Henry W. Farnam, George L. Fox, John C. Gallagher, A. R. Kimball, Wilson H. Lee, Burton Mansfield, Charles G. Morris, Norris G. Osborn, Amory S. Rowland, Horace D. Taft.

Indiana: Harry J. Milligan.

LUZERNE COUNTY: W. J. Trembath.

MARYLAND: Hon. Charles J. Bonaparte, Dr. Daniel C. Gilman.

MASSACHUSETTS: Arthur H. Brooks, Richard Henry Dana, Ashton E. Hemphill, William V. Kellen, Samuel Y. Nash, Charles S. Rackemann, William W. Vaughan.

MISSOURI: V. Mott Porter.

New York: Elbert F. Baldwin, R. R. Bowker, Silas W. Burt, Henry G. Chapman, Horace E. Deming, Albert deRoode, A. S. Frissell, Richard Watson Gilder, Elliot H. Goodwin, Henry W. Hardon, A. Jacobi, Hon. Jacob F. Miller, C. B. Orcutt, Rev. Cornelius B. Smith, Hon.

Nelson S. Spencer, Hon. Everett P. Wheeler.

PENNSYLVANIA: Mrs. Arthur Biddle, Miss Edith F. Biddle, George Burnham, Jr., Hon. Cyrus D. Foss, Jr., Henry R. Hatfield, Robert D. Jenks, Mrs. W. F. Jenks, Henry S. Pancoast, Hon. W. Henry Sutton, William J. Trembath.

Wisconsin: John A. Butler.

WOMEN'S AUXILIARY OF MARYLAND: Mrs. J. Mark Baldwin, Mrs. D. C. Gilman, Mrs. Albert Sioussat, Mrs. G. H. Williams.

WOMEN'S AUXILIARY OF MASSACHUSETTS: Mrs. Francis C. Barlow, Mrs. T. L. Chapman, Miss Harriet E. Clarke, Mrs. Richard H. Dana, Mrs. Glendower Evans, Miss Elizabeth Foster, Mrs. Warren R. Gilman, Miss Frances Hayward, Miss Marian C. Nichols.

WOMEN'S AUXILIARY OF NEW YORK: Miss Emilie J. Hutchinson, Miss Anna E. H. Meyer, Mrs. Nelson S.

Spencer, Mrs. Everett P. Wheeler.

In response to invitations issued by the League to municipal reform associations and to other bodies interested in the reform of the civil service, delegates were present from a number of such organizations as follows:

CONNECTICUT STATE FEDERATION OF WOMEN'S CLUBS: Mrs. F. H. Dart, Mrs. A. C. S. Fenner.

SATURDAY CLUB OF NEW LONDON: Mrs. George Seth Morgan.

TWENTIETH CENTURY CLUB, BOSTON: Richard Henry

INVITED GUESTS: Hon. Charles J. Bonaparte, Hon. Henry F. Greene, President Arthur T. Hadley, Hon. William F. Henney, Hon. Samuel E. Sparling, Hon. John P. Studley.

Guests of Delegates: Joseph Anderson, Mrs. S. Milbank Cauldwell, Alexander Cumming, Mrs. Albert deRoode, Mrs. E. G. Fisk, Mrs. Harry J. Milligan, Edward S. Worcester.

MEETINGS OF THE LEAGUE.

THE headquarters of the League during the period of the meeting were at the New Haven Colony Historical Society Building, New Haven, Connecticut. The proceedings at the sessions of the League, commencing on the afternoon of November 19, were as follows:

FIRST SESSION.

NEW HAVEN COLONY HISTORICAL SOCIETY BUILDING, MONDAY AFTERNOON, NOVEMBER 19.

THE League convened at 2:30 P. M., the President, Dr. Daniel C. Gilman, in the chair.

The minutes of the last Annual Meeting having been printed and distributed, the reading of the same was omitted.

Hon. John P. Studley, Mayor of New Haven, delivered an address of welcome, to which Dr. Gilman, on behalf of the League, made response.

Mr. Richard Henry Dana, Chairman of the Council of the League, read the Annual Report of the Council.

Reports from the Associations composing the League were then read, as follows:

Mr. Ansley Wilcox submitted the following report from the Civil Service Reform Association of Buffalo:

At the outset I wish to express the regret of our association and of the people of Buffalo that we were unable to secure the annual meeting of the League this year, and were vanquished by New Haven. The time is ripe for another visit of the League to Buffalo after an interval of sixteen years, and we urgently desire that you will come next year.

¹ Printed in full at page 55.

There has been an improvement in our local conditions in the enforcement of the civil service law and rules since my last report. The form of the law and of the local rules has not been changed. These are so good that they hardly admit of any material betterment. But we have had a new mayor since the beginning of the year. who, though not an ardent civil service reformer in theory, is a clear-headed and experienced business man, of approved honesty and firmness. He reorganized the city commission, putting in five new men on the board of seven, which seemed a doubtful experiment; but his appointees have proved themselves earnest and faithful workers for good government and for the enforcement of the merit system, and they have worked harmoniously among themselves and in harmony with the mayor, which previous commissions had not succeeded in doing. They have obtained somewhat larger appropriations for their necessary expenses than ever before, and thus have been enabled to do better work. Our local commissioners have taken an active part in the conferences at Washington and Albany during the year, and I believe have been of assistance in these.

In the county service, which is independent of the city commission and is regulated from Albany by the state commission, the conditions have not materially changed.

Mr. Archibald Howe submitted the following report from the Civil Service Reform Association of Cambridge:

The Cambridge Association has a membership of 106 and reports continued interest in the cause. Members have appeared at this year's hearings in the Legislature on matters affecting the League and measures which have appeared detrimental to civil service reform have been controlled. The Association maintains its full interest and watchfulness and holds itself ready at all times for any work which may be required.

I am much interested in the efficiency of the service. I happen to be an humble examiner under the state commission. As shown by the experience tests there are a large number of rolling stones among the candidates. This is a matter of regret. The experience tests are

weak and it is a matter of painful reflection that in Cambridge there is not a very large interest in the efficiency of the public service. There is another organization, the Good Government League, which, however, looks after the elective offices.

Mr. Charles B. Wilby submitted the following report from the Civil Service Reform Association of Cincinnati:

The Cincinnati Association might be said to be somewhat disfigured, but I assure you it is "still in the ring." I say this, not because we have not a good association, but because we have been obliged to report to you, from time to time during the last few years, five defeats, one after another. in our successive endeavors to bring about the passage of the bills which we have introduced, in the hope of providing an efficient civil service law for Ohio.

I believe I can safely say that we have an energetic and zealous association. It is one of the earliest. George H. Pendleton was made our first president in appreciation of his courage in introducing the bill which became the existing federal law in 1883, which by reason of the resentment of the machine politicians, caused him to lose that re-election to the Senate, which he so well deserved. Mr. Pendleton was succeeded by Rufus King, who in turn was succeeded by Wm. H. Taft, and when he went to the Philippines. John W. Warrington, who is now our president, was elected in his place.

We have in Cincinnati not a corporate boss like the Tammany Society, but rather what might be called a corporation sole, which is, I believe, a somewhat more

dangerous form of the evil.

When we first introduced a civil service bill, we made it cover the civil service of counties and municipalities, as well as of the state. This the country members refused to vote for, because they did not appreciate the necessity for the expense entailed, their communities not suffering under boss rule as do the cities. Then we tried a local option bill, providing for the civil service of the larger cities alone, and this was defeated because the country members allowed the city delegations in the Legislature to have their own way in denying its passage. Then we

tried a state bill again and got it through the Senate, but the Legislature adjourned before we could reach the House. Again we tried another year and our bill was never taken out of the hands of the Committee. Last year, having a somewhat better legislature than usual, we tried a state bill again, prepared on the model of the Wisconsin law by the aid of Mr. Jenks, of Philadelphia, and Mr. Goodwin, but we again met the opposition of the country members, on account of the expense, and late in the session we went back with a local option bill, but it was too late to bring it to a vote. We now have our bill ready for the next session of the Legislature and shall keep at it until we succeed.

Professor Henry W. Farnam submitted the following report from the Civil Service Reform Association of Connecticut:

Since the last meeting of the League no legislature has been in session in Connecticut, and, therefore, we have taken no part in promoting new legislation. At the elections held in Hartford last spring, it was encouraging that Mayor Henney was re-elected, and in his inaugural address he made so strong a plea for the introduction of the merit system into the city government of Hartford that one of the departments of the city government voted, even without waiting for a law, to adopt the merit system in the appointment of its sum analysis.

tem in the appointment of its own employees.

In New Haven two vacancies occurred in the municipal board, which were excellently filled by the appointment of Professor Edward B. Reed and Dr. E. R. Whittemore. The term of office of the late clerk of the board, the method of whose appointment was criticized by our association two years ago, having expired, the board held a civil service examination and appointed as clerk Mr. J. F. Donovan, who, though not the first on the eligible list, was among the highest, and is believed to be well qualified for the position. Our association has been increasing its membership, which is now over 340. Our annual dinner was held in Waterbury on April 28th, and was addressed by the Secretary of War, Hon. William H. Taft, who was received with great enthusiasm.

Mr. Harry J. Milligan submitted the following report from the Civil Service Reform Association of Indiana:

I thought when I came here that I would keep my seat because I know you have been entertained usually by accounts of revolutions and reforms in many places and I felt that I could not say anything of a dramatic or sensational character. However, I should like to say this, that while Indiana has no civil service law, as has been stated heretofore, and as stated in the report of the Chairman of the Council, the state in its institutions is largely governed by the merit system, and that has been done simply by the good sense of the men in power in both parties. They found by experience that any other rule brought very unsatisfactory results and, in some cases, scandals in the State institutions, and so it came about that they voluntarily adopted the practical rules of the merit system as a means of promoting good government. And I am pleased to say that there are indications, that party leaders whom it would be fair to suppose would oppose a civil service law, are now themselves considering the advisability of offering such a law to the next Indiana legislature. The matter has not gone far enough to speak with any authority upon that subject, but there are indications that something of that kind will emanate from a source where it least might be expected and from a source where ordinarily there would be opposition. When supposed enemies of the cause become its advocates there is certainly great encouragement to all its friends. I think the cause is winning its way because it is reasonable, fair and necessary. Any law of this kind which is forced too much—which is enacted before the people are ready for it—is often illadvised, and forcing not infremently works delay. But the law once enacted is a schoolmaster. So the word from Indiana is encouraging.

Mr. William W. Vaughan submitted the following report from the Civil Service Reform Association of Massachusetts:

The annals of Massachusetts have not been very exciting. Some few violators of the law have been brought to book and have either been punished or their resignations accepted; but most of the work has been devoted to

contests in the legislature. So far as these were entered into to obtain new legislation we got very few victories and a number of defeats; but so far as they were defensive they were entirely successful. We succeeded in holding our own, and so far as any change was made there was a slight gain in our position, because we succeeded, with other friends of the Reform, in getting the Governor to veto two very undesirable bills—one taking the fireman practically out of the classified service, and the other fixing arbitrary percentages for examination and practically tying the hands of the commissioners.

There has been absolutely no dramatic event in the year, and it has been the same wearing, inevitable but valuable fight against the spoilsmen and their attempt to get a firm hold of the few possibilities left. But looking back several years we can see an enormous gain. Then we were fighting occasionally the repeal of the law, always the attack of the veterans' preference, and, most of all, a certain public indifference to the matter. Thanks very largely to the Woman's Auxiliary, the interest throughout the State has enormously gained—and even the partisan newspapers are now taking up the question.

The scandals in the Fenway contract have brought vividly before the public the gain that would result from having heads of department selected for real capacity and scientific fitness, and there is a distinct possibility that we may carry in the legislature this winter our bill to put the heads of department into the classified service.

Mr. V. Mott Porter submitted the following report from the Civil Service Reform Association of Missouri:

Our Association has very little to report, a fact that may not be unacceptable in view of the lateness of the hour and the other reports to follow. The Missouri Association has not been very active of late, not because of any sluggishness, nor unwillingness to do work, for our members are ready to do whatever may be practicable, but because there has really been very little to do that could possibly be done, in the local field. This statement may sound strange, coming from a State which has not yet tried to adopt the merit system. Our Association, created originally for the main purpose of improving a

bad state of affairs in the St. Louis post-office and other local Federal offices, has seen the abuses remedied and regards that part of the work as practically accomplished.

The people of the State of Missouri have not yet awakened to the value of the merit system. They believe that the state offices have been fairly well administered and as long as the offices seem to be in capable hands they seem to be satisfied. They regard the conduct of the offices as of greater importance than the tenure of the office-holders. As a matter of fact there has been till lately almost a life tenure, due to the continuance of one party in power, but its recent overthrow by the "Mysterious Stranger," has brought in some new officials, and I am glad to say that the service is as good as heretofore. Whether or not our reform Governor will see fit to recommend a merit system remains to be seen, but I have not heard any one prophesying that he will do so.

In the City of St. Louis the situation is somewhat different. Here there is a distinct need of a merit system not because of present conditions, which are fairly good, but because there is not much hope that they will continue. During the last few years the city has washed a great deal of dirty municipal linen, which is now on the line drying. The elections have been close, with the result that good men had to be put forward for heads of departments and they have made reasonably good appointments. It looks now, however, as if one party will likely get the upper hand for some time to come and we may expect to see the municipal service get into worse hands. Against this contingency we wish to interpose the barrier of a merit system. The city of St. Louis, as you may know, has no connection with the county of St. Louis, but operates under a special scheme and charter as a quasi-county. To introduce the merit system would require an amendment to the charter, initiated in the State Legislature and referred to the people of the city at some election. Such an amendment, it is believed, if specially voted on, would draw the fire of the politicians and be killed. There is, however, a movement to revise the whole charter, which is now antiquated in many particulars, and already steps have been taken to frame a new one. The drafting of this is in competent hands, friendly to us, and we have reason to believe that in this new charter, which will probably come up for adoption in another year or so, there will be a provision for the merit system for the whole of the municipal service and we expect that in view of the many other provisions to be voted on our little amendment will have a better chance to slip through.

Hon. Jacob F. Miller submitted the following report from the Civil Service Reform Association of New York:

The situation created by the election of Charles E. Hughes as Governor of New York gives great encouragement to the friends of civil service reform in this State. Mr. Hughes is one of our own people, a member of the Association for a number of years, who has proved his sincere interest in the cause by undertaking and conducting for the Association without remuneration important civil service cases. We know that he can be counted on to fulfill to the extent of his power and influence his promises made during the campaign, to maintain and enforce the civil service law, and we look forward condently to an administration of the merit system in the State, counties and cities on a much higher plane than we have known or had a right to expect for a number of years.

Not that we have so much to complain of at the present time. The State Commission has shown a disposition to go at least as far, and perhaps somewhat further, in enforcing the letter and the spirit of the law as their superior, the Governor, who controls their appointment and removal, was willing to go. Governor Higgins is certainly not to be regarded as an enemy of civil service reform. Indeed, in accordance with his recommendations, the law has been extended to new fields, and in most things which the State Commission has undertaken in the way of improvements, they have had his support. Were it not for the unfortunate and incomprehensible attitude that he took towards his Commission in regard to the enforcement of the provisions of the law prohibiting political assessments in the Bender case, we should

certainly have reckoned him among the supporters of the merit system and the enforcement of the law under his administration would have commanded our approbation as an improvement upon what had gone before.

In New York City also we have seen in the last year a marked improvement in the administration of the law by the Municipal Civil Service Commission, and it can be said of them also that they have gone as far as the attitude of the city administration would permit. That attitude has not been favorable. To the great surprise and disappointment of the thousands of independent voters who voted for Mayor McClellan on the strength of his previous record, and to whom he owed his re-election, he has descended into a fight for the control of the Tammany organization and is using the patronage at his command to further this end. This is demoralizing the service and inevitably affects detrimentally the administration of the civil service law.

Mr. Hughes is not merely an endorser but a warm advocate of the merit system and will be looked to to bring about the much needed revision of the classification of the State service, which will materially reduce the large number of places now excepted from competition, and to see to it that the State Commission uses its power of supervision and investigation of the work of municipal commissions to put an end to political interference with the administration of the law wherever such interference exists.

We have a good civil service law, thanks to Governor Roosevelt, and the merit system in the State of New York has been steadily, if somewhat slowly, advancing under it. The severest blow it has received since the enactment of the law was the failure of Governor Higgins to uphold his Civil Service Commission in the recent Bender case. For the first time the Association was able to present to the State Commission evidence of the collection of campaign contributions from employees by public officials, although this has been carried on with apparent impunity for many years. This evidence was much strengthened by the results of the investigation by the State Commission. The case of Harry H. Bender.

Fiscal Supervisor of State Charities, was a peculiarly flagrant one because he was at the time the contributions were levied the Treasurer of the City and County Republican Committees and had a doubtless well deserved reputation in Albany, as a successful collector of campaign funds. He and his private secretary, Herbert F. Prescott, were the chief persons accused by the evidence and the unanimous report of the State Commission found them both clearly guilty of violation of the law. In addition to this they had both practically confessed their guilt by endeavoring to stave off further investigation by questioning the power of the State Commission to conduct investigations and by taking the case to the Court of Appeals. Yet the Governor, in spite of this conduct and in the face of the report of his State Commission, by making use of a technicality which had been discussed and rejected by the State Commission, dismissed the charges with merely a reprimand to Bender.

We find the interest in the work of the Association unabating and its influence at least as great as ever. I will not weary you with the details of that work, which consists in investigating, in examining into and presenting complaints, in urging the passage of legislation to strengthen the merit system, and in watching the progress of all bills which in any way tend to injure it. But there is one point particularly worthy of singling out, the work that the Association has been doing, chiefly through its Assistant Secretary, in establishing correspondence committees in cities throughout the State. By this means the influence of the Association in fighting adverse legislation has been greatly increased and we are able at the same time to keep track of the manner in which the law is administered in other cities than New York. We shall not rest satisfied until a correspondence committee has been established in every city of the State

in which a civil service commission exists.

Mr. George Burnham, Jr. submitted the following report from the Civil Service Reform Association of Pennsylvania:

The Pennsylvania Civil Service Reform Association submits the following brief summary of the results

which it has secured during the past year. It will doubtless be recalled that at the last meeting of the League it was reported that Mr. William S. Leib had just been removed by the President for his persistent failure to observe the provisions of the Federal Civil Service Act. This conspicuous example has had a most beneficial effect in causing the other United States officials throughout Pennsylvania to observe the law in letter and in spirit. As a result no serious violations of the Act have been reported to the Association during the past year. We believe that the President is entitled to warm commendation for his vigorous action in the Leib case, not only because that punishment was well merited, but even more because the example has convinced other officeholders that the administration regards the observance of the Civil Service Act as a matter of great importance.

Satisfactory as it is to make such a good report with regard to the Federal service, it is with even greater pleasure that we report the marked gains which have been made within Pennsylvania. Shortly after the last meeting of the League the Pennsylvania Legislature was convened in special session and given authority by the Governor to consider, among other subjects, the passage of civil service reform legislation. After a bitter contest, the closeness of which can be seen when it is stated that a single vote would have defeated our bill, an excellent Civil Service Act, applying to Philadelphia, was passed by the Legislature. Great credit is due to Senator Gable for this success, which was followed by the appointment by Mavor Weaver of an admirable Commission, which has, by its ability and persistence, secured a vigorous enforcement of the provisions of the new Act. The sudden transition in the city of Philadelphia from the degradation of a most vicious and complete spoils system to the adoption and enforcement of an excellent Merit System is to be regarded as the greatest victory secured during the past year.

A strong effort was also made to obtain from the Legislature the passage of an adequate act applying to the civil service of the commonwealth, but so strenuous was the opposition of the old Republican "Machine" that

this bill was defeated in the House of Representatives on the last day of the session. The present Governor-elect has pledged his support for the passage of a proper civil service reform law and the Association hopes that with his co-operation the Legislature may see fit to apply a Merit System to the State offices, and to the appointments in the larger cities.

In addition to the Philadelphia Civil Service Act the last Legislature passed an effective measure prohibiting the assessment of municipal employees in Philadelphia for political purposes, and also an Act restricting their political activity in the same general manner that is prescribed in the regulations affecting Federal officeholders.

The Association co-operated also in urging the passage of a Corrupt Practices Act which was advanced by Senator Algernon B. Roberts, and finally approved by the Governor—It is believed that this Act will aid greatly in obtaining a diminution of bribery at elections and in preventing the use of corporate funds to control political movements. A special committee of the Association has undertaken to secure a strict observance of this new law.

The Mayors of the cities of Pittsburg and Scranton, elected last February, are both members of the State Association, and there is every reason to believe that they will use their efforts to secure a strict observance of the somewhat meagre provisions relating to the Merit System in the charters of these two cities until better laws can be enacted.

During the past year a vigorous local association has been established in Luzerne County and has accomplished a great deal in the direction of arousing public opinion in that vicinity.

The prospects for the future are very bright, as there is a marked trend of public sentiment in the direction of the establishment and enforcement of civil service reform principles, not only throughout the State but also in many of the cities. The membership of the Association now exceeds eight hundred. During the recent session of the Legislature the active support of the individual members of the Association proved a very effective means of cre-

ating a widespread public demand for the passage of our bills

Mr. John A. Butler submitted the following report from the Civil Service Reform Association of Wisconsin:

I am very glad to be able to add a word to what has been said in regard to the spread of Civil Service Reform principles in the different cities and States of this country. I think it is an admirable thing to get together and compare notes and encourage each other. Experience meetings go a long way toward promoting csprit du corps

and unity of aims and action.

I reported so fully, and quite accurately, I think, at the Milwaukee meeting, in regard to the Wisconsin situation, that it would be superfluous to again detail what was said at that time. But there is one thing, in regard to Wisconsin, which I think may serve to encourage those who wish to secure Civil Service Reform legislation in other States. There was no organized general demand for the Wisconsin law outside of our Association, and a good many people were very much surprised—a good many politicians, a good many reformers, and the people of the State at large—when they found that we finally had a law. Several years ago, Mr. Bonaparte, Mr. Richardson of Philadelphia, and Mr. Woodruff of Philadelphia, talked the matter over with me, and we thought the time would soon approach, when the question of State Civil Service Reform legislation ought to be agitated in Wisconsin. I accordingly wrote a letter to Governor La Follette, asking him if, when the time came, he would co-operate with us, and he immediately wrote in reply cordially offering us his aid. How well he supported the cause is indicated by the fact that he advocated the Merit System in his first message, and his administration presented a bill which made it unnecessary for us to prepare one. We turned in and helped to support that bill, and Mr. Dana, Mr. Cooley and Mr. Goodwin came out to Milwaukee and Madison pursuant to a previous arrangement, and helped to revise, amend, and improve the bill, and make it what it now is. The point which I wish to speak of as particularly fortunate and significant

is the factional strife which prevailed in Wisconsin at that time. Each faction of the Republican party feared that the other faction, if successful, would fortify itself with patronage. The result was that many men of each faction supported the bill to prevent the "other fellows" from getting the offices, and I dare say that each faction thinks that it gave us the law. We are deeply indebted to all who helped in securing legislation, of the value of which many voters were not and are not yet, aware. The La Follette administration naturally has the credit for its passage. The Governor appointed the present commission, and I am glad to say that the law is being admirably administered, and, while the State Association was urged, almost frantically, in the first instance, to come out and help the Commission, I think the Commission stands pretty solidly on its own feet now, and is certainly administering the law earnestly and ably. There is not much more to say about the general Wisconsin situation, except as to Mr. Dana's statement that all Wisconsin cities of over 10,000 population have Fire and Police Boards on the Merit basis. All cities of 10,000 and over have such boards, nineteen or twenty in all. Our Association, made up in large part, especially in the list of officers, of some of the ablest and most distinguished men of the State, including the President of the State University, is now awaiting the time when the local fire and police boards in such cities shall be enabled, by the necessary legislation, to include within their control the whole appointive force of their respective cities; and I think the report of the State Commission, admirably prepared by President Sparling, will also present the same idea. The time is coming when we shall be almost "civil service ridden," as I once heard an opponent of the Merit System in Wisconsin, say that New York State now is. We shall certainly bend every energy to secure that desirable result.

There never was a time, ladies and gentlemen, when the Merit System was so necessary and important as it is to-day. Judicial minded and disinterested men are needed in the Legislature of each State, at Washington and in our large cities, to solve delicate and difficult problems now before the people, the proper solution of which is vital to the safety of our national institutions and our social existence. It is easy for corrupt men, representing everything and anything, except the general good, to secure elective positions in our Legislatures by promising offices to those who aid in their "campaigns." With the Merit System universally applied this great evil would be remedied, and it is not possible to overestimate the salutary and inevitable result.

Mr. W. J. Trembath submitted the following report from the Civil Service Reform Association of Luzerne County, Pennsylvania:

Our Association in its limited field now numbers seventy members of whom fully one-half have been added within the past thirty days. Among our members is one of the State Senators from our County, two of the Representatives elect and the Mayor of the City of Wilkes-Barre. It may be remembered that there was an earlier association formed in Luzerne County in 1899 thru the efforts of Mr. Herbert Welsh. It existed a year and died in a chilly atmosphere. The present association owes its existence to the efforts of Mr. Edgar Dudley Faries in the early part of the summer and the later efforts of Messrs. Robert D. Jenks and Samuel B. Scott. We are very much astonished at the change in the temperature since 1899. We now find that things are spontaneously coming our way.

The next delegation to the Legislature will be more than one-half of it composed of men pledged to vote for an adequate measure of civil service reform of the State. We need it not so much in our City of Wilkes-Barre, which is, we pride ourselves, a fairly well governed city, but in the County where there is a degree of frank rascality.

One of my friends, a candidate for the Legislature, was approached by a politician recently with the remark: "I am free to say two years ago I helped to count you out but this time I am with you." We have precincts where they are capable of returning a vote of nine hundred for one candidate to one for his opponent, a vote that exceeds by three times all the men, women, children

and domestic animals in the precinct. It will not surprise you when I say that recently I observed a Court House Clerk writing down "Missouri" M-a-s-u-r-i-e and in so doing he was not acting under the influence of any reform association, spelling or otherwise.

I think there is nothing more I need say now. We are full of hope and full of activity and expect to show some results in supporting our parent association in

Philadelphia.

Mrs. Albert Sioussat submitted the following report from the Women's Auxiliary to the Civil Service Reform Association of Maryland:

The Women's Auxiliary of the Maryland Civil Service Reform Association reports a general interest in the work of the National League. We have two hundred and fifty members, of whom over one hundred were present at the Annual Meeting at Mrs. Bonaparte's, where Dr. Gilman and Mr. Bonaparte kindly addressed us, and we found we were able to contribute one hundred dollars instead of fifty, as usual, to the Civil Service Reform League. A report covering the last two years has been printed and distributed, and in sending it to our members we enclosed a copy of the excellent "Primer of the Civil Service and the Merit System," published by the New York and Massachusetts Auxiliaries, which contains in a compact form so much valuable information. Copies have also been sent to all the Presidents of the Federated Clubs in Maryland. Since the dissolution of the Arundel Good Government Club in Baltimore the Maryland Auxiliary feels there is a special opportunity, of which it hopes to take advantage, in lines suitably associated with the work of civil service reform. Delegates went to Annapolis with those of other bodies, in regard to the important Child Labor bill, greatly needed and finally passed at the last session of the legislature. The Hon. William II. Taft gave the annual address, May 21, before the Maryland Civil Service Reform Association, and the Auxiliary had the gratification of entertaining him at dinner at the Belvedere, with a few friends especially interested in the cause.

At the first meeting of the Auxiliary in October the following minute was adopted:

"The Women's Auxiliary to the Maryland Civil Service Reform Association, at this meeting, the first since the death of Hon. Carl Schurz, the former President of the National Association, desire to place permanently upon its records its appreciation of the valuable constructive work performed by him in the infancy of the effort to reform the civil service of the United States.

"By voice and pen he labored unselfishly and unweariedly to rouse the public mind to a just appreciation of the evils of the spoils system and to establish a higher standard of civil service.

"He possessed high ideals of the duty of every citizen; unswerving courage in his contest with wrong-doing, absolute devotion to the principles of Civil Service Reform, and a firm faith in their final triumph.

"It is a peculiar gratification to this Auxiliary to feel that his life was prolonged until he saw the partial accomplishment of the reform for which he had labored so assiduously and was given a vision of the victory of the good cause."

The Auxiliary has made arrangements for several house meetings this winter where the whole society will be addressed by speakers of distinction on subjects relating to the work. The first of these will take place the 10th of December.

Work among the schools of the city will be again undertaken but here Baltimore labors under special difficulties, a rule of the School Board forbidding any competition for prizes, and this rule can only be changed by vote of the City Council. A personal letter enclosing the Primer and other matter is being sent to teachers of the 8th grade grammar schools, asking if they will read them and incorporate the contents informally in their lessons in American History and Civics. We hope also by personal interviews to increase their knowledge and interest and so reach the large body of foreign-born as well as American citizens so soon to be voters.

It is hoped that some work in the counties and also in

young men's clubs and associations may be undertaken later through the agency of the Maryland State Federation.

Miss Marian C. Nichols submitted the following report from the Women's Auxiliary to the Civil Service Reform Association of Massachusetts:

The Women's Auxiliary of the Massachusetts Civil Service Reform Association takes pleasure in reporting a year of continued inward strength and outward growth. Since our last report to the League 104 members have joined the Auxiliary which now numbers over 1100 and represents 50 cities and towns in Massachusetts. All but 180 members belong to one or another of our 9 branches.

These branches, offshoots of the same tree, have many common family traits; they are, however, such important factors in our work that we wish to present brief records of their chief activities during the past year.

The Boston Branch has obtained the permission of the Boston School Board for the use of Miss Cary's Primer as supplementary reading in the grammar schools and of our pamphlet by Mr. Cary for similar use in the high schools. Our pamphlets have now been adopted by all 12 high schools while 3876 copies of the Primer have been sent to 47 grammar schools in the city. This branch, on behalf of the Auxiliary, raised \$265 by arranging a very successful entertainment for the Bazaar of the Massachusetts Federation of Women's Clubs. Our participation in a fair which sounds at first like a far cry from the merit system was only a fitting recognition of the invaluable support given us by the Federation Civil Service Reform Committee and the extensive hold on public opinion secured us by the Federated Clubs of Massachusetts.

The Brookline Branch held a large and well-attended study class last winter and this season has started two classes. Mrs. Richard C. Cabot spoke at the annual meeting, and Mr. Arthur H. Brooks addressed a meeting arranged for the Brookline teachers. Many of the publications of the League as well as a set of the Auxiliary's pamphlets have been placed and listed in the Public Li-

brary. Competitive essays on civil service reform were written by the pupils in the civics classes of 5 grammar schools and the 6 successful competitors were awarded bronze medals.

The Cambridge Branch held two meetings for members, one addressed by Dr. Henry Van Dyke, the other by Mrs. Cabot; at a third open meeting the speaker was Mr. Henry Loomis Nelson. Besides its executive committee the branch has an advisory council which meets bi-monthly and helps extend interest in the work. class of members has been studying with enthusiasm municipal government. The branch has interested itself in the introduction in the grammar schools of the "School City." This new scheme for applying the methods of city administration to self government for school children should be of practical value in teaching them the advantages of the merit system and the contrasting evils of the spoils system. A prize of \$10 offered to the Young Women's Christian Association for the best civil service reform essay attracted more competitors than in the two previous years.

The Lowell Branch has met once to hear Mr. Charles Warren and Mrs. Cabot who suggested ideas for awakening more local interest in the cause.

The Lynn Branch has come together four times to complete Mrs. Rice's "Outline for the Study of Civil Service Reform" and then to take up city government. Committees have been appointed to visit the Lynn City Home and Police Station and the Salem Jail. Medals for prize essays have been awarded to two pupils, one in the English, the other in the Classical High School.

The Salem Branch held a meeting with men as guests addressed by Mr. Brooks. It circulated petitions to be presented to the Legislature and felt that these excited much interest in our cause, especially among some young boys who aided in carrying about the petition. In the spring a course of talks was given by Mrs. May Alden Ward on current events in which the subject of civil service reform was introduced.

The first regular meeting of the new Springfield

Branch was held last February when Mrs. Maynard, one of the members, read an interesting paper on "The growth and development of Civil Service Laws in the cities and towns of Massachusetts." This autumn a large and enthusiastic audience was addressed at a public meeting by their fellow citizen and our national champion of civil service reform, Congressman Gillett, who began by stating that he supposed most of his fellow members would smile when they heard he had been talking about civil service to a gathering of women, but that it was his idea they had a very vital influence on public opinion.

The Waltham Branch has met monthly to study municipal government. Papers have been prepared by

the members and discussions have followed.

The Worcester Branch has introduced literature into high and grammar schools and also in class work of the Young Men's Christian Association. It likewise arranged for a series of talks at the Boys' Club. A medal was offered to the pupils of senior classes in the three high schools for the best essay upon "What are the aims of Civil Service Reform and what has it accomplished? As a preliminary to the preparation of the papers Mr. Brooks spoke to the students and a meeting with appropriate addresses and exercises was held upon the occasion of the presentation of the medal. The branch has arranged that notices of Federal and State examinations shall be posted at the two colleges and the normal school in Worcester. Two meetings for members took place and a class for them was conducted which used the outline prepared and published by the branch for the study of "Municipal Government and its relation to Civil Service Reform."

This Outline as well as the one by Mrs. Rice previously published by the Worcester Branch have proven most valuable as inspiration and guide to other study classes and the Auxiliary is deeply indebted to the branch for these two valuable and helpful publications. The study of municipal government is arranged to include the investigation of the machinery of the home city's administration and the consequent visits and queries have

proven a source of enlightenment to the men as well as to the women.

In addition to the meetings recorded by our branches the Auxiliary held its own annual meeting when there was an unusually large gathering to hear the reports and an address by Mr. Richard H. Dana on "Overturning the Political Bosses of Philadelphia." Our Auxiliary has also helped on many occasions to provide speakers for women's clubs in Massachusetts.

The bronze school medal designed by Miss Frances Grimes in the studio of Mr. Augustus Saint-Gaudens has proved an unqualified success. Besides the 9 awarded by our branches medals have been given by the Attleboro Pierian Club, the Fitchburg Woman's Club and the Framingham Woman's Club. Any club or association may purchase the medal from us at the cost of \$5 to offer as the reward for competitive school essays on some civil service reform subject. The Missouri Federation Civil Service Reform Committee has distributed to the women's clubs in the State a circular giving an account and an illustration of the medal. The public exercises usually accompanying the presentation of the medals are found an excellent means for increasing general interest in the merit system. In some cases the successful essays are published in the local papers. The boys' and girls' appreciation of the beauty and meaning of the medal was well illustrated on one occasion when the children rejected the proposal to substitute a book and insisted on competing for the medal.

Our most wide-spread educational work continues to be the publication and distribution of civil service reform literature. Except for our 5th Annual Report no new pamphlet has been published this year but we have re-issued under the title of "Criticism of the Examination System Answered by Roosevelt," a document previously reprinted from Good Government by the New York and Massachusetts Auxiliaries. We now keep on hand for distribution in large numbers ten of our own pamphlets besides a small stock of the publications of the League and of other Associations. Frequent requests for help

in preparing essays come from schools and women's clubs. We again asked the educational journals throughout the country to publish a notice of our offer of free literature. The magazine most successful as an advertising medium was a Sunday School Journal which brought us about 50 applications. A new feature in our work was the sending of sets of our pamphlets to 438 libraries in the State.

The total number of pamphlets distributed during the past five years in our school work now exceeds 125,000 with a record of their adoption in 1800 schools and colleges scattered throughout every State and territory. Since our last report to the League 10,000 pamphlets have been distributed at meetings or to libraries, clubs and individuals. Ten thousand one hundred and thirteen copies of Miss Cary's excellent Primer have been used in 292 grammar schools, while 10,000 of our pamphlets by Mr. Cary and Mr. Woodruff have gone to 180 high and normal schools and colleges. A good proportion of the pamphlets were sent to schools in Massachusetts while outside our efforts were directed especially to Colorado, Ohio and Pennsylvania, states with civil service bills before their legislatures.

All bills in the Massachusetts Legislature affecting for weal or woe our civil service are watched by us with great interest. Last winter we worked in favor of the new bill introduced by the Massachusetts Civil Service Reform Association for the inclusion under the Civil Service Law of the higher municipal offices. The Auxiliary was represented at the hearing on this bill and presented 3180 signatures from 70 different cities and Seventeen hundred and forty-three of these names were secured through the help of 68 women's clubs. Our time for circulating the petition was brief; otherwise the returns would have been much larger. For a wholly new and rather puzzling object, sure to be opposed in many homes, we feel that this was a most encouraging response and one showing real and growing interest in the merit system. One factor largely contributing to our success was Mr. Dana's willingness to

give an afternoon for the purpose of explaining to various workers the real meaning of the bill and of arming them with answers to criticisms likely to arise and impossible to overcome without adequate knowledge.

Though the higher municipal officers' bill was rejected, another point urged in our petition was successfully carried, namely a law providing for greater publicity for the Massachusetts Civil Service examinations. On account of the need for candidates the Massachusetts Commission asked our help in bringing to the attention of the public the examination for Visitors for the charitable and reformatory institutions of the State and of Boston. As this examination was of especial interest to women, we again called to our aid our branches and the women's clubs and the large number of applicants last June was partly due to the notices circulated by us among them and published through their help in the papers.

The most progressive Civil Service Reform legislation in Massachusetts last winter was enacted by the Boston School Board. The new committee, a body reduced in 1906 from 24 to 5 members, has among other radical improvements in school administration adopted a merit system for the appointment and promotion of teachers. Previously any person who had passed the required examination might be appointed, consequently friendly or political pulling strings were too often needed for obtaining entrance to the teaching force. An appointment must now be made from the highest three on the eligible list willing to take the place. Moreover advancement in position and salary are dependent on success in teaching and any one failing within a given time to show increased efficiency will not be retained in the service. Finally a pension scheme is in preparation.

Before the agitation of these Civil Service Reform measures by the Boston School Board the executive committee of the Auxiliary was considering the question of advocating stronger merit principles in the appointment of Massachusetts public school teachers. At the request of one member of the School Board, the chief promoter of the scheme, the Auxiliary prepared and presented a

plan for the appointment of teachers which was drawn up with the kind and valuable help of Prof. Hanus and Prof. A. O. Norton of Harvard University. Whether our suggestions were of service we do not know, but we are highly gratified by the adoption of these civil service rules in the Boston schools and we trust that other cities may be encouraged to follow suit.

Such are the recorded facts of the year's work, all directed towards the same goal, an enlightened public conscience in regard to the merit system; but of its real significance, of the wasted or the fruitful sowings, no

record can be given.

Miss Emilie J. Hutchinson submitted the following report from the Women's Auxiliary to the Civil Service Reform Association of New York:

Within the last few months the New York Auxiliary has mourned with others the loss of the Honorable Carl Schurz. The Executive Committee, called in special session to honor the memory of Mr. Schurz, adopted the

following minute:-

"The Executive Committee of the Women's Auxiliary to the Civil Service Reform Association desire to place on record the expression of their profound sorrow for the death of Mr. Schurz. Our society remembers with gratitude and pride that it was to Mr. Schurz that it owes its existence, for it was he who twelve years ago asked Mrs. Lowell to form an Auxiliary to the Association, and we know how heartily and successfully she carried out his wish. Mr. Schurz's idea that women might co-operate with men in their endeavor to improve the civil service of their country has had a wide result.

"This work and many others inspired by Mr. Schurz's patriotism and humanity will go on, but the true vision, sense of justice, liberal views, love of liberty, wise counsel, and staunch loyalty of our dear friend are lost to us and to the country except in so far as they may be recorded in our hearts and commemorated in our lives."

The Auxiliary has also suffered the loss by death of one of its own members—Mrs. Winthrop Cowdin,—and in her memory the Executive Committee adopted the following minute, November 12, 1906:—

"Lena Potter Cowdin, who has lately passed away, was one of the founders of this Auxiliary. To her appreciation of the great need of the reform of the civil service, as a measure of public good, her recognition of the place of women in this movement, and the eager energy with which she undertook the organization of our work, we chiefly owe our successful early years, and the inspiration that has carried us forward. In the difficult post of Secretary, which she cheerfully assumed, as Treasurer, and frequently as the representative of the Auxiliary in the councils of the National League, her personal effort for this cause seemed never to cease, and her faith in its ultimate triumphs never to flag.

"It was part of her nature, when the war with Spain called for a new and, for the time, more pressingly needed service, to give herself to that. As Acting-President of the Auxiliary of the Red Cross, she passed the hot and trying summer of 1898 in the direction of that great work of patriotism and humanity, rarely leaving the city except to visit the camps and giving so freely of her physical powers, that she broke beneath the strain, and fell into that long illness and suffering that have but just

ended.

"In the truest sense, her life was given for her country, and her service, both in the field of civic betterment and in the time of the stress of the war, should be not only an inspiration but an encouragement to the women of America.

"Those who knew Mrs. Cowdin, and especially those whose privilege it was to work with her, will cherish always the memory of her devotion, and of her goodness and her wonderful personal charm. The officers and board of the Auxiliary, while attempting to express in this minute their appreciation of the significance and the value of her life, feel in her passing, the keenest sense of personal loss, and offer to her family the deepest sympathy in the greater loss that must be theirs."

Though we mourn their loss, the memory of their lives shall continue to stimulate us in the work that en-

listed their sympathetic activity.

The general work of the Auxiliary in the past year

has been chiefly along the following lines:—Ist, the school work; 2nd, organizing meetings for clubs in social settlements; 3rd, an investigation of the women probation officers serving in the magistrates courts of Greater New York

The work of sending circular letters concerning the merit system to elementary schools has been successfully continued. Enthusiastic demands for the "Primer" have come from every State in which we have corresponded. We have had several letters from principals who, not being able to use the "Primers" when they were first brought to their attention, have kept the matter in mind, and have asked for them some months afterward. The total number of States partially or completely canvassed in the elementary school work is now 18, and the total number of "Primers" distributed is 28,505. We are continually receiving testimony to the value of this kind of work, and we are now engaged in the introduction and distribution of the "Primer" in the schools of Wisconsin and Michigan.

The Auxiliary has also sent other of its publications to federation meetings in various States, to club women, to correspondents, and to libraries. The total number of publications of the Auxiliary during the past six years now amounts to 33 different kinds of pamphlets with an aggregate issue of 83.175. During the same period of time, 77,368 of these pamphlets have been distributed where they will be used to create an intelligent public

opinion in favor of the merit system.

The Auxiliary continued through last winter to hold meetings in the social settlements. Fifteen evening meetings were held, and the time was devoted to an exposition and discussion of the merit system. The Auxiliary gratefully acknowledges the help of Messrs. Burlingham, Chapman, Goodwin, McAneny, deRoode, Schieffelin, and Spencer, in arranging for these meetings and in speaking at them. It is obviously impossible to estimate the value or the direct results of these meetings; but the fact remains that about five hundred men, women and boys in New York City have heard about the merit system, who probably would not have heard it

through any other means, and perhaps by repeated expositions of its principles at similar meetings in the future, they may come to some realization of its true significance and worth.

Last November, at the suggestion of the Civil Service Reform Association, the Auxiliary undertook the investigation of the women who were serving as probation officers in the magistrates courts in Greater New York. It seemed fitting that we should do this work, since it concerned the women officers and their treatment of women prisoners. The position was at that time unclassified, and appointment depended on the personal favor of the judges. A trained woman was sent to visit the twenty courts in which the probation officers worked, and from personal interviews with these women she collected statistics as to their age, nationality, length of time in service, affiliations, education, previous occupation, and tried to get as definite information as possible about each officer's conception of her duties.

As a result of this investigation the Auxiliary found that only five out of sixteen officers who were interviewed seemed to us of a desirable type of woman, or, so far as we could judge, really competent to fill the position; that appointments in some cases had been made apparently for political or personal reasons without consideration of the fitness or the training of the appointees.

The results seemed to warrant the Auxiliary in writing an argument on the Method of Selecting Female Probation Officers, in which we pointed out the existing conditions, and advocated competitive examinations as a test of fitness before the appointment of a woman probation officer could be made. The argument was submitted to the State and Municipal Civil Service Commissions, and to the Probation Commission that was at the time considering the question of the classification of the position of female probation officer, which had recently become a salaried one. The report of the Probation Commission contained a recommendation that a fair trial be made to appoint women probation officers by competitive examinations, and we were successful in our efforts in so far as

the testimony furnished by our investigation contributed to this result.

Our membership has grown steadily during the past year. Its increase since last December being forty-four per cent., which is more than at any other time within the last eleven years. This brings an addition to our income of five hundred and forty-eight dollars.

The outlook for the coming year is an encouraging one, though we shall miss the services of Miss Meyer who fulfilled the duties of Secretary so successfully for six years. We are especially pleased with the interest shown by the Federated Club women in their decision to try to bring State institutions under a civil service law, and we

are eager to help them in this work.

Strongly feeling the need of instructing the children in the school of our State in the principles of the merit system, the Auxiliary plans to hold its seventh competition for the best essay on some topic, to be chosen by the Auxiliary, and open it to both Grammar School and High School pupils. It will be the first time that such a competition has been open to the children in the Grammar Schools, but it seems important to do so in the light of recent statistics that show that a very small percentage of the boys in the Grammar School go to the High School.

Beside our educational work, we are planning a revision of our Bibliography published in 1900—a revision that shall not only bring its references up to date, but shall present them in a more practicable form for working purposes.

We hope to have continued opportunities for co-operation with our sister Auxiliaries or other reform associations, and we look forward to a year of increased efficiency in the regulation and promotion of our work.

The following reports were also received to be printed in the Proceedings:

From the Chicago Civil Service Reform Association:

The situation with reference to civil service, not only in the State, but in the City of Chicago and in Cook County, is very promising. On November 1st, 1905,

the new State Civil Service Act went into effect, covering 2,160 positons in 17 charitable institutions. Up to October 1st, 1906, the State Civil Service Commission held 114 examinations, covering 32 different kinds of positions, and 1,023 appointments were made, this being more than forty-seven per cent, of the total number of employees within the Classified Service. The total number of applicants during that time was 2,745. The Chairman of the State Civil Service Commission, Mr. William B. Moulton, was formerly Secretary of the Civil Service Reform Association and is a member of the Council of the National Civil Service Reform League. He and his associates took hold of the work with a great deal of interest and enthusiasm, and the Commission has been very prompt in suppressing any violations of the law that have been called to its attention. In December, 1905, they had an alderman of the City of Jacksonville arrested for attempting to collect political assessments from employees in the School for the Deaf. The trial resulted in a disagreement of the jury, but in view of the character and standing of the defendant and his apparently unintentional violation of the law, this disagreement was a real victory for the Commission, and the moral effect of the case has been to put an end to political assessments in the State. The Commission has made an extensive use of oral examinations for matrons, visitors, attendants, etc., with very satisfactory results. has been able to secure the services of eminent doctors and specialists to act on examining boards and this has tended to increase the confidence of the public in the Merit System. The limitations in the present State law which require examinations to be held in the seven principal cities of the State, and the attendance of one of the Commissioners at each examination, has proved very impractical and should be abolished.

A strong effort will be made to secure from the Legislature this winter an extension of the State Act so as to have the Merit System apply to the two State Penitentiaries, the departments of factory inspection, pure food inspection, grain inspection, the Reformatory at Pontiac and the various departments of the State House. This

would add about 1,200 employees to the service. If the politicians adhere to the pledges made in their party platforms, this extension ought not to be difficult to secure. The platform adopted at the Democratic State Convention contains the following plank: "We pledge the Democratic members of the next General Assembly to an earnest effort to make the State Civil Service Law a fact as well as a name; a law applicable to all branches of the State government and all employees thereof; to the enactment of a law that will honestly extend the Merit System to cover all employees of all the offices of Cook County and all branches of the County service." The platform adopted at the Republican State Convention, after speaking of the operation of the present law and the number of appointments made thereunder, reads: "We favor the extension of the Civil Service Law."

As to the enforcement of the City Civil Service Act, there has been some complaint, due chiefly to two causes, (1) the attitude of Mayor Dunne as shown by some of his appointments, and (2) the effect that the trial clause as at present construed is having upon the service.

In December, 1905, Mayor Dunne removed Mr. Francis X. Busch, the attorney for the Civil Service Commission. Mr. Busch had been appointed attorney by the Commission and had been very efficient in his work. The Mayor appointed, in his place, an attorney who had had no experience in civil service work but who was favorable to the Mayor's municipal ownership policy. As the attorney had charge of the investigations and prepared the charges and represented the Commission in the conduct of trials, it was felt that a political appointment by the Mayor established a dangerous precedent. A joint meeting of the Executive Committees of the Civil Service Reform Association of Chicago and the Illinois Civil Service Association was called to discuss the situation, and at that time the following resolution was adopted:

"Resolved, That these Associations maintain that all public offices and places of employment in the immediate service of the Chicago Civil Service Commission should be filled and held and changed only in accordance with the principles of the Merit System and should be kept wholly

free from removal or interference by the appointing power for political or personal preferences or prejudices; therefore these Associations deplore the threatened removal of Frank X. Busch, the present legal investigator in the service of the Commission, as a conspicuous de-

parture from these principles."

A committee was appointed to present the resolution to the Mayor, but the committee was unable to obtain a conference with the Mayor, as he announced to the Chairman of the committee that his decision was irrevocable and that an interview would be useless. A short time after this the Mayor appointed a secretary for the Civil Service Commission, the position being vacant owing to the death of the former incumbent, claiming that the power of appointment rested in him and not in the Commission. Prior to this time the Commission had always selected its own secretary. The Civil Service Reform Association decided to test the appointment by quo warranto proceedings, but as the pay-roll containing the secretary's name was certified by the Civil Service Commission, which action practically amounted to an appointment by the Commission, no action was taken.

In July the term of Mr. Joseph W. Errant, President of the Commission, expired and it was rumored that the Mayor did not intend to re-appoint him. As he had been a very efficient member of the Commission, and at the time had several important reforms in the service under way, especially a re-grading of the service based upon the character of the work instead of the salary, the Association deemed his re-appointment advisable and a committee from the Association interviewed the Mayor in his behalf. The press of Chicago also urged his reappointment, but the Mayor refused to re-appoint him and appointed as his successor Mr. Frank Wenter, who had managed his mayoralty campaign. It should be said, however, in justice to Mr. Wenter, that he has taken up his work on the Commission with a great deal of interest and has shown considerable independence in his action. With experience, he should prove a very valuable member of the Commission.

Considerable attention has been drawn to the trial

clause of the City Act by reason of two very important and prolonged trials, viz., the case of Rickard O'Sullivan Burke, Harbor Engineer, and Patrick J. Lavin, Inspector The allegations against Colonel Burke included charges of neglect of duty in connection with the alleged encroachment by the Illinois Steel Company on a portion of Lake Michigan off South Chicago. Charges were filed in September, numerous hearings were had, and the case was not finally disposed of until the following July. On January 27th, 1905, after all of the testimony had been put in by the attorney for the Commission, Colonel Burke obtained from the Superior Court a temporary writ of prohibition, restraining the Commission from proceeding further in the case on the ground that it had exceeded its jurisdiction and that it was not proceeding in accordance with the rules of legal pro-This was the first time that anyone had attempted to use this high prerogative writ against the Civil Service Commission, and as a decision adverse to the Commission might have disastrous consequences, the Civil Service Reform Association invited the Civil Service Committees of the Union League Club, the Hamilton Club and the Iroquois Club to meet with its Committee, and as a result of that meeting Mr. Edgar A. Bancroft was employed to assist the Corporation Counsel in the defense of the case. After a prolonged legal argument the Court took the case under advisement, and later quashed the writ of prohibition. This was a decided victory for the Civil Service Commission, and it is doubtful if they will ever be hampered with such a proceeding in the future. The Commission at once proceeded with the investigation and rendered a decision in July acquitting Colonel Burke.

The trial of Patrick J. Lavin, Inspector of Police, on charges preferred by the Chief of Police, lasted for several weeks and called forth considerable criticism of the trial feature. Mr. Lavin was represented by one of the ablest lawyers in Chicago. The question of the admissibility of evidence brought forth conflicting views from the different members of the Commission, one of the Commissioners practically holding that rules of evidence

as to hearsay testimony should apply, and the other members believing that the investigation should be given the widest latitude and that every effort should be made to ascertain the facts, regardless of the rules of evidence. It is clear that if the rules of evidence are to be applied, the Commission ought to be composed of lawyers. Commission, as now constituted, consists of one lawyer and two laymen, and if the Commission is to sit as a court and be governed by the forms and rules of judicial proceedings, it practically gives to one man the power to pass upon the legal questions involved. One branch of our Appellate Court has held that the Commission is a quasi judicial body, and another branch of the court has held that it is an administrative board; as yet we have no decision of the Supreme Court in this State squarely upon that point. These two cases have convinced many people who formerly believed in the trial system that the time has come for a change. The committee of the Chicago Charter Convention which has charge of the subject of Tenure of Office has adopted a resolution favoring a modification of the trial cause of the City Law so as to have it conform to the present Cook County Civil Service Mr. Lessing Rosenthal, who is the President of the Civil Service Reform Association of Chicago, is the Chairman of that committee. If this change is made it will place the burden upon the employee of showing cause why he should not be discharged, instead of placing the burden upon the head of the Department. (See foot note for provision of present law and proposed amendment.)

The County Civil Service Act at present covers about 700 employees and applies to the county institutions at Dunning, consisting of the Asylum for the Insane, the Infirmary and the Consumptive Hospital, and to the Cook County Hospital, the Probation Officers of the Juvenile Court, the County Agent's office, the County Attorney's office, the Superintendent of Public Service and the County Board. Investigations of the offices of the Clerks of the Courts were made during the last year, and, as the results showed that pay-rolls had been "padded" in several instances, and defalcations made, the special investigating committee of the County Board, in its report,

recommended the passage of a Civil Service Act which would apply to practically all of the employees of Cook County. President Brundage, of the County Board, immediately took the matter up and requested the President of the County Civil Service Commission, Mr. Elton Lower, to draft such a bill. Mr. Lower requested fifteen different clubs and reform organizations, including the Civil Service Reform Association, to send representatives to a joint meeting to be called for the purpose of drafting a comprehensive county civil service bill. Every organization responded promptly and the joint committee met and appointed a sub-committee, which is drafting a bill which will be submitted to the General Conference Committee within a short time. The platform adopted at the Republican County Convention contained the following plank:

"We commend the enforcement of civil service in the county institutions and the recent extension to include the attending and interne staffs of the Cook County Hospital and the working forces of the Juvenile Court. Intelligent application of the merit law, we believe, is in the best interest of the public service. We pledge the Republican party in this county to the earnest support before the next legislature of a bill to extend the competitive system to all county offices."

As the Republican party succeeded in electing all its candidates at the election held on November 6th, we have every reason to expect that this much desired legislation will be obtained.

It should also be noted that civil service played a prominent part in the recent election, at which twenty-eight municipal judges were elected to take the place of the old Justices of the Peace in Chicago. The Act which created the new Municipal Court, as originally drafted, provided for the appointment of deputy bailiffs and deputy clerks by civil service examination, but this clause was stricken out of the bill as passed. The judicial candidates of all parties, however, passed resolutions favoring the appointment of deputy clerks and deputy bailiffs under the Merit System, and most of the candidates for

chief clerk and chief deputy also favored the Merit System. The Republican candidate for chief bailiff was the only one who declared against the Merit System, and, as he was elected, it is probable that the deputies will not be appointed under civil service regulations.

Taken altogether the outlook is very favorable, both in the State and the county, for an extension of the Merit System, and in general the City Act is working very satis-

factorily.

We trust that the next report will show that our hopes have become realities.

The Amendment adopted by the Committee of the Chicago Charter Convention changes section XII., of the City Civil Service Act, so as to make it read as follows:—

"Section XII. Removals and Reductions. from the classified service or reduction in grade or compensation, or both, may be made in any department of the service by the head of such department for any cause which will promote the efficiency of the service, but only on written specifications by the officer making the removal or reduction, and the person sought to be removed or reduced shall have notice and shall be served with a copy of the specifications and be allowed reasonable time for answering the same in writing, and a copy of the notice, specifications, answer, and of the order of removal or reduction, shall be filed with the Civil Service Commission. Said commission, or some officer or board appointed by said commission, for the purpose, shall investigate any removal or reduction which said commission has reason to believe has not been made in accordance with the provisions of this section, and said commission may in any case investigate any removal or reduction or cause the same to be investigated by some officer or board the officer or board so appointed to conduct said investigation, and then in accordance with the findings of said commission or the officer or board so appointed to conduct said investigation, approve or disapprove the same. The finding and decision of such commission or investigating officer or board, when approved by said commission, shall in every case be final and shall be certified to the appointing officer and shall be forthwith enforced by such officer. A copy of said papers in each case shall be made a part of the record of the division of the service in which the removal or reduction is made. Nothing in this act shall limit the power of an officer to suspend a subordinate for a reasonable period, not exceeding thirty days. In the course

of an investigation of charges, each member of the commission and of any board so appointed by it, and any officer so appointed, shall have the power to administer oaths and shall have the power to secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to such investigation. Nothing in this section shall be construed to require such charges or investigation in case of laborers or persons having the custody of public money for the safe keeping of which another person has given bonds."

The law as it now exists, in regard to removals, is as follows:

"Section 12. Removals. No officer or employe in the classified Civil Service of any city who shall have been appointed under said rules and after said examination, shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard in his own defense. Such charges shall be investigated by or before said Civil Service Commission, or by or before some officer or board appointed by said Commission, to conduct such investigation. The finding and decision of such Commission or investigating officer or board, when approved by said Commission, shall be certified to the appointing officer, and shall be forthwith enforced by such officer. Nothing in this act shall limit the power of any officer to suspend a subordinate for a reasonable period, not exceeding thirty days. In the course of an investigation of charges each member of the Commission, and of any board so appointed by it, and any officer so appointed shall have the power to administer oaths and shall have power to secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to such investigation. Nothing in this section shall be construed to require such charges or investigation in cases of laborers or persons having the custody of public money, for the safe keeping of which another person has given bonds.

From the Maryland Civil Service Reform Association:

Our Association has been watchful to take advantage of any opportunity that might offer for furthering the principles of Civil Service Reform and prevent any abuse of existing laws on the subject.

No better or more satisfactory report as to the condition of the reform in Maryland and the work of the Maryland Association can be made than by following the lines of the report of our Executive Committee to the Association at its last annual meeting, on May 21st, last, and adopting in part its language.

Early in December last the Executive Committee appointed a special committee of five to consider and report to it what legislation, if any, in the interest of Civil Service Reform it would be advisable to apply for to the General Assembly of the State then about to meet, and also to consider incidentally the expediency of agitating for the passage of a general Civil Service Law for the State.

The Committee having fully considered the matter soon reached a unanimous conclusion that while the spirit of reform was undoubtedly in the air in Pennsylvania, Ohio, New York and other localities, there were no signs of its having as yet permeated the atmosphere of Annapolis to such an extent as would afford any adequate encouragement for the success of any effort for the general introduction of the merit system of appointment to the minor administrative offices in Maryland at the coming session.

They did however believe that the time had come to make another effort to secure the passage of an act to regulate the method of nominations by the Board of Police Examiners of Baltimore to fill vacancies on the police force in the city. Accordingly a bill was prepared for the purpose and introduced into the State Senate which referred it to the Senators from Baltimore City.

The circumstances which gave rise to the demand for this bill were briefly these. In 1900 the Board of Police Examiners was created and they were required to subject all applicants for appointment to, or promotion in the force, to competitive examinations, to prepare graded lists of all who passed the examinations and from these lists to make nominations, in the order in which the names stood upon them, for all appointments or promotions to be made by the Police Commissioners. Within a year thereafter the Board of Examiners submitted the whole list of two hundred and sixty eligibles at one time to the Commissioners, thus giving the latter a long list to pick and choose from, there being nothing in the act creating the Board of Examiners expressly prohibiting such action. This practically converted what were declared to be competitive examinations into non-competitive or mere pass examinations, as some of those whose names stood near the foot of the list were among the first to get appointments.

The bill submitted on behalf of this Association followed closely the provisions of the Federal Civil Service Law, requiring the Examiners to nominate for each vacancy only the three persons whose names stood highest on the graded lists and that the appointment must be made from one of these. And it further provided that after any person's name had been sent in three times without his being appointed, it should be dropped from the list. The bill was unfavorably reported by the City Senators after they had heard the Committee, and their report was adopted by the Senate.

The main objection advanced against it was that since the present Board of Commissioners is honestly endeavoring to keep the force as efficient and as non-partisan as possible, any interference with them or any restriction upon their action would be far more apt to diminish than to increase this efficiency. But, admitting everything thus claimed for the present Board of Commissioners to be as stated, it must still be remembered that their term of office is not indefinite, for, in fact, the names of two of them, when re-nominated by the Governor, were "held up" by the Senate until late in the session. It would seem therefore that such an important matter as the nonpartisanship and efficiency of the police department should be safeguarded by the stringent provisions of a permanent statute, rather than be suffered to depend, as a matter of grace, merely upon the disposition of the individual members of the Board having control of that department for the time being.

It may be added that the agitation caused by the introduction of the above bill and the publication of the above mentioned annual report has proved beneficial and that the present Board of Police Examiners has lately been nominating, whenever a vacancy occurs, only the three names graded highest on the eligible list to fill it. With the law as it stands, however, a new board might change all this and return to the former system.

From the Women's Civil Service Reform Association of Buffalo:

The Women's Civil Service Reform Association of Buffalo began its work in the early spring of 1905, taking as its first object the arousing of interest in Civil Service Reform and the diffusion of intelligent ideas as to its meaning. To this end we undertook to distribute its literature among men, women and juniors. among our readers have been the pupils of the High Schools, an impulse having been given by the offering of a medal, by our president, for the best essay on Civil Service Reform by a High School scholar.

Believing that hero worship is good we considered ourselves fortunate to have George William Curtis to remember and extol and have chosen his birthday as the occasion for bringing together our active and reading members, winners of the medal and teachers, to be addressed by men prominent in the work of good govern-

ment.

Such a meeting was held on February 26, 1906, when there were speeches by Mr. Ansley Wilcox, Mr. T. Guilford Smith, Messrs. Henry W. Sprague, J. B. Olmsted. The members met socially and civil service took on a new aspect to many of our members. Our Association sent letters to the Assemblymen and Senators of New York, urging that the Probation Officers should be put under civil service rules.

We have begun putting the "Primers" of Civil Service Reform with the higher grades of the Grammar Schools.

We purpose to continue the work of the first year and add to it the study of Civil Service Reform in its relation to Municipalities.

SECOND SESSION.

Woolsey Hall, MONDAY EVENING, NOVEMBER 19.

A T 8:00 o'clock P. M. the League reconvened at Woolsey Hall. The meeting was presided over by President Arthur T. Hadley of Yale University, who spoke as follows:

"It is a great pleasure to welcome the National Civil

Service Reform League to New Haven. It is a special pleasure that Yale can use Woolsey Hall as a means of welcome. It makes me feel pretty old to think how I have witnessed the growth of civil service reform and of the National Civil Service Reform League from the beginning until now. I have seen it laughed at, I have seen it disliked, I have seen it gradually reckoned with as a power, I have seen it finally taken as matter of course. We have come to the time when civil service reform, in a broad way, has the people behind it. In fact its chief danger is that just because it represents the ideals of the community and has the nominal support of the most of the community, there should be a little apathy that will give power to the other side. When I witness the conflict between civil service reform and its opponents I am sometimes reminded of the Scotchman and his comment on the conflict between God and the Devil, for though the pastor assured him that God was stronger than the Devil, it only led him to the melancholy reflection that the Devil made up for his inferior strength by his superior activity.

"The Civil Service Reform League has no longer the task of creating public sentiment, no longer the task of making appeals for recognition, but of keeping the place it has won. I do not know what the speakers of the evening are going to say, but knowing who they are, I do not care very much what they are going to say. I feel as the boy did when the bishop came to consecrate the church and he went to the bishop and said he wanted to be consecrated too. The bishop explained to the boy the difference between consecration and confirmation; but the boy, after the bishop got through, said he didn't know as he cared very much what they called it as long as they did it to him. That is the way I feel about the speakers of

the evening.

"The first speaker is an old friend. When I was a boy and used to go to Yale College Library for books, I looked to the man who was at that time librarian of Yale College as the compendium of all information in the world that was really worth knowing. I grew older and so did he. He left New Haven and went to California and went

to Baltimore and went to various other places and gathered experience all the time. He comes back here occasionally to visit us, and I find that my mental attitude toward the former librarian of Yale College has not changed; that I still think what the first speaker of the evening, President Gilman, does not know is not worth knowing."

Dr. Daniel C. Gilman, President of the League, then

delivered an address.1

Mr. Richard Watson Gilder presented the resolutions in memory of the late Carl Schurz, President of the League from 1893 to 1900, which were on motion unanimously adopted.

Hon. Charles J. Bonaparte, Secretary of the Navy,

then delivered an address.

THIRD SESSION.

New Haven Colony Historical Society Building, Tuesday Morning, November 20.

THE League reconvened at 10:30 A. M., President Gilman in the chair. Mr. W. W. Vaughan presented the report of the Committee on Nominations, as follows:

For	President:			
	Daniel C. Gilman,			Baltimore, Md.
For	VICE PRESIDENTS:			·
	Joseph H. Choate,			New York, N. Y.
	Grover Cleveland			Princeton, N. J.
	Charles W. Eliot			Cambridge, Mass.
	Harry A. Garfield,			Princeton, N. J.
	Arthur T. Hadley,			New Haven, Conn.
	Henry Charles Lea,			Philadelphia, Pa.
	Seth Low, .			New York, N. Y.
	Franklin MacVeagh,			Chicago, Ill.
	George A. Pope,			Baltimore, Md.
	Henry C. Potter, D.	D.,		New York, N. Y.
	P. J. Ryan, D. D.,			Philadelphia, Pa.
	Moorfield Storey,			Boston, Mass.
	Thomas N. Strong,			Portland, Ore.
	Herbert Welsh,			Philadelphia, Pa.

Printed in full 1 at page 97; 2 at page 114; 3 at page 115.

FOR MEMBERS OF THE COUNCIL: Norwich, Conn. Buffalo, N. Y. Boston, Mass. New York, N. Y. William A. Aiken, . Frederick Almy, Arthur H. Brooks, Charles C. Burlingham, Charles C. Burlingnam, George Burnham, Jr., Silas W. Burt, John A. Butler, Edward Cary, Henry G. Chapman, Everett Colby, Charles Collins, William F. Cushing Philadelphia, Pa. New York, N. Y. Milwaukee, Wis. New York, N. Y. Newark, N. J. New York, N. Y. William E. Cushing, Cleveland, Ohio. Cincinnati, Ohio. New York, N. Y. Nathaniel H. Davis, Horace E. Deming, John Joy Edson, Henry W. Farnam, . Washington, D. C. New Haven, Conn. Richmond, Ind. New York, N. Y. Iowa City, Ia. New York, N. Y. Baltimore, Md. Philadelphia, Pa. William Dudley Foulke, . Charles N. Gregory, Henry W. Hardon, H. Barton Jacobs, Robert D. Jenks, William V. Kellen, Lohn F. Loe Boston, Mass. John F. Lee, . . St. Louis, Mo. William G. Low, New York, N. Y. George McAneny, . Henry L. McCune, Jacob F. Miller, Harry J. Milligan, William B. Moulton, Samuel H. Ordway, William Potts, Kansas City, Mo. New York, N. Y. Indianapolis, Ind. Chicago, Ill. New York, N. Y. Cambridge, Mass. Baltimore, Md. John Read, H. O. Reik, Philadelphia, Pa. Buffalo, N. Y. New York, N. Y. Charles Richardson, Henry A. Richmond, Edward M. Shepard, F. L. Siddons, . . Washington, D. C. New York, N. Y. Nelson S. Spencer, . Lucius B. Swift, . Indianapolis, Ind. Lucius B. Swift, Henry Van Kleeck, William W. Vaughan, Everett, P. Wheeler, Charles B. Wilby, Ansley Wilcox, Charles D. Willard, Frederick C. Winkler, R. Francis Wood, Clinton Pagers Woodruff Denver, Colo. Boston, Mass. New York, N. Y. Cincinnati, Ohio. Buffalo, N. Y. Los Angeles, Calif. Milwaukee, Wis. Philadelphia, Pa. Clinton Rogers Woodruff, Morrill Wyman, Jr. Cambridge, Mass.

It was moved and seconded that the Secretary be directed to cast one ballot for the election of the gentlemen named. The motion was unanimously carried, the Secretary cast the ballot and announced the election of the ticket as read.

Mr. A. S. Frissell presented the report of the Treasurer. The Secretary of the League reported that as the fiscal year did not close until November 30, the Council had voted that the annual report of the Treasurer, to be printed in the proceedings with the report of the Auditing Committee, should include all receipts and disbursements up to and including that date.

In the absence of the Chairman of the Special Committee on Consular Reform, Mr. Ansley Wilcox reported that the formal report of the committee had not yet been completed, but that by direction of the Council, when completed, it was to be published in the proceedings Mr. Wilcox then reported informally upon the progress of consular reform during the past year.

In the absence of the Chairman of the Special Committee on Removals in the Civil Service, Mr. W. W.

Vaughan presented the report of the committee.

Mr. Horace E. Deming, chairman, then presented and read the report of the Committee on Resolutions. After some discussion and amendment the report was approved

and adopted.

Upon motion of Mr. Ansley Wilcox, that portion of the report which dealt with the appropriation for the Federal Commission and the salaries of the Commissioners was ordered referred to the executive officers of the League, with power to secure the co-operation of others and with instructions to present such resolutions to the appropriate committees in Congress.

Hon. Nelson S. Spencer then presented the preliminary report of the Special Committee on the Application of the Merit System to the Higher Municipal Officers. On motion the report was received and referred back to

the committee for further report.

Printed in full 1 at page 54; 2 at page 76; 3 at page 82; 4 at page 70; 5 at page 86.

A discussion followed the reading of the report, in which Hon. Henry F. Greene, Richard Henry Dana and Hon. Everett P. Wheeler took part.

FOURTH SESSION.

New Haven Colony Historical Society Building, Tuesday Afternoon, November 20.

THE League reconvened at 2.30 P. M., President Gilman in the chair.

Hon. Everett P. Wheeler read a paper on "The Birth

of the Pendleton Bill Twenty-five Years Ago."2

At the request of President Gilman, Mr. Richard Henry Dana then took the chair and the following papers were read:

"Civil Service Reform in Connecticut," by Hon. Wil-

liam F. Henney. Mayor of Hartford.3

"The Slow Progress of Civil Service Reform in New

Territory," by Frederic Almy, of Buffalo.

A discussion followed the reading of this paper, in which Hon. Charles J. Bonaparte, W. H. Hale, Hon. Everett P. Wheeler, E. H. Goodwin, Horace E. Deming, Mrs. Glendower Evans, Henry A. Richmond, Henry W. Farnam and Ansley Wilcox took part.*

"The Enforcement of the Provisions of the Civil Service Law in Regard to Political Assessments," by Hon. Henry F. Greene, of the United States Civil Service Com-

mission.

"The Best Method of Regulating the Political Activity of Public Employees," by Hon. Cyrus D. Foss, Jr., of the Philadelphia Civil Service Commission."

A discussion followed the reading of these two

papers.

The Hon. Charles J. Bonaparte moved a resolution of thanks to the Civil Service Reform Association of Connecticut, to Professor and Mrs. Farnam, to the Ladies'

Printed in full 1 at page 94; 2 at page 120; 3 at page 127; 4 at page 137; 5 at page 144; 6 at page 153; 7 at page 170; 8 at pages 168 and 178.

Committee of the New Haven Colony Historical Society and to the Women's Civic Club of New Haven. The resolution was unanimously carried by a rising vote.

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The League then adjourned.

Attest:

ELLIOT H. GOODWIN, Secretary.

A banquet to the visiting delegates was tendered by the Connecticut Association at Harmonie Hall, at 8 o'clock, Tuesday evening, November 20. Professor Henry W. Farnam, President of the Connecticut Association presided. Addresses were made by Professor Henry W. Farnam, Dr. Daniel C. Gilman, President of the League, Dr. Flavel S. Luther, President of Trinity College. Professor Edward B. Reed, of Yale University, and Hon. Charles J. Bonaparte, Secretary of the Navy.

During the meeting of the League the delegates were tendered a reception on Monday afternoon by Professor and Mrs. Henry W. Farnam, at their residence, 43 Hill-house Avenue. On Tuesday afternoon the Ladies' Committee of the New Haven Colony Historical Society and the Women's Civic Club of New Haven served afternoon tea for the delegates.

At the close of the preliminary meeting of the Council Monday morning the members were tendered luncheon by Professor Farnam at the New Haven House.

ANNUAL REPORT OF THE TREASURER.

Nover	nber 30,	190б.
Balance on hand December 1, 1905		.\$173.23 *
RECEIPTS:		
New York C. S. R. Association	\$1,000.00	
Massachusetts C. S. R. Association Pennsylvania C. S. R. Association	1,050.00	
Maryland C. S. R. Association	1,247.50	
Maryland C. S. R. Association	700.00	
Cincinnati C S R Association	310.00 200.00	
Cincinnati C. S. R. Association	100.00	
Missouri C. S. R. Association	100.00	
Cambridge C. S. R. Association	100.00	
Buffalo C. S. R. Association	150.00	
Indiana C. S. R. Association	100.00	
Connecticut C. S. R. Association	125.00	
Wisconsin C. S. R. Association	70.00	
Massachusetts Auxiliary	100.00	
Maryland Auxiliary	100.00	
New York Auxiliary	150.00	
Pamphlets sold	36.86	
Special Fund Committee on Organization	120.00	
Takal I arang Dana' ta	26	
Total League Receipts	\$0,359.30	0
GOOD GOVERNMENT Receipts	1,430.20	7,789.56
		\$7.062.70
DISBURSEMENTS:		4/,902./9
Salary of Secretary	\$1,350.00	
Salary of Assistant Secretary	750.00	
Salary of Editor of Good Government	750.00	
Salary of Clerks	1,135.50	
Rent of office	500.00	
Printing	554.04	
Postage and Stamped Envelopes	302.95	
Stationery	131.35	
Office Expenses	233.30	
Traveling Expenses	302.43	
Tatal I am D	06	
Total League Expenses	\$0,009.57	
GOOD GOVERNMENT Expenses	1,544.87	7,554.44
Balance on hand		408 25 +
E. & O. E.	• • • • • • •	400.33
Λ. S	FRISSEL	L.
•	Tre	asurer.
*Of which \$55.31 in Special Fund Committee	on the C	rganiza-
tion of Civil Service Reform Associations.		_
† Of which \$175.31 in Special Fund Committee	e on the	Organi-
zation of Civil Service Reform Associations		
January 7, 1907. Audited an	d found	correct.
Wм. G. I		
Nelson S		
	Com	rmittee.

REPORT OF THE COUNCIL,

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

During the last year, the League has experienced a most serious loss in the death of the Hon. Carl Schurz on May 14, 1906. Mr. Schurz was one of the founders of the League, and became its President, and President also of the New York Association, after the death of Mr. Curtis, September 1902. He resigned the Presidency of the League in 1900, but remained President of the New York Association until his death. A committee has been appointed by the Council to sum up his valuable services in resolutions for this meeting of the League, to co-operate with the committee of the New York Association in preparing a memorial, and to take part in the Schurz memorial meeting to be held in New York on Wednesday evening, November 21.

At this gathering of the League we celebrate our twenty-fifth anniversary. On August 11, 1881, a conference was held in Newport, which led to the formation of the League. It may be well to review our work from that date. The Pendleton Bill was drawn up by the New York Association, was introduced into the United States Senate in 1881, and became a law much sooner than we had anticipated, namely, on January 16, 1883. At that time, the total number of employees in the federal service was 110,000, and of these, 14,000, or a very little over one-eighth, were put under civil service rules. Since then, the federal service has increased to the enormous number of 326,855, on June 30, 1906, and the classified competitive service includes 184,178 persons, which is two-thirds of the total number of employees, if we omit from the latter unskilled day laborers. All the more important branches are now included that can be included under civil service law, excepting the fourth class

postmasters, now numbering 62,480, the pension examin-

ing surgeons and a few other officials.

The enormous growth of the federal service is a point worthy of comment. One explanation of a part of this growth has been that a great deal of work has been thrown upon the field branches of the War and Navy Departments. The people are looking to the federal government to undertake work which might naturally have been left to the states, in no small degree because of the existence of the merit system in the federal government, and the consequent confidence in the efficiency of its administration. Those government works especially that are under the control of the army and navy engineers, with subordinates under the civil service rules, exemplify the highest ideals of the ultimate good that can be accomplished through civil service reform. The army and navy engineers have gained their positions after having undergone hard examinations at West Point and Annapolis, they are thoroughly efficient, and are wholly out of politics. They have charge of the making and enforcing of all the contracts, while their subordinates are also selected by the merit system. Thus, we have, from top to bottom, in these large departments, work wholly carried on by substantially permanent officials who have received their appointment without political influence or favoritism.

Outside the federal service, merit systems have been established in New York for the state, cities and the large counties; in Massachusetts for the state, cities and some of the towns; in Wisconsin, for the city of Milwaukee, for the police and fire departments of other cities over 10,000 population now numbering about twenty, for the state service and for the legislative employees at the State House, a new extension worth copying in the older states and at Washington; in Illinois, for the charitable institutions of the state and for the service of the cities of Chicago, Evanston, Rockford, Aurora and Elgin, and for Cook county; in Connecticut, for the city of New Haven; and in Indiana, for the state schools for the blind and deaf, four hospitals for the insane, and the state reformatory by voluntary action of the boards. In the chief cities of Ohio the employees of the boards of public safety in

charge of the fire, police and health departments are under a merit system with some good points and which prevents a clean sweep, though it falls far short of what we recommend; and the same may be said of the system applying to employees of the fire and police departments of the cities of Scranton and Pittsburg, Pennsylvania. The revised charter of the city of New Orleans, Louisiana, has a semblance of the merit system, but, we regret to say, with the merit left out. In California, San Francisco and Los Angeles have civil service reform charters. and the same is true of Seattle, Washington; Denver, Colorado; Norfolk, Virginia; and Portland, Oregon. In Iowa, the Board of Control of state institutions has adopted the merit system; in New Jersey, cities of the first class are under civil service laws, and last, but not least, a civil service reform charter has been adopted for the city of Philadelphia, Pennsylvania. On the whole, we have much to be thankful for during the last twentyfive years. Those of us who attended the first conference at Newport can amply testify that the progress has been much greater than we then had dared to hope.

There are fewer local associations to-day than there were in the early eighties, but this is chiefly because many small associations have become consolidated into stronger state associations. During the past year, new associations have been organized in New Jersey, Luzerne County in Pennsylvania, and a Woman's Civil Service Reform Association has been established in Buffalo, N. Y. Chiefly to be noted is the increased activity of the associations throughout the county, working for new or ampler laws, or for further extensions to existing statutes.

The National League has also been at work, through various committees, on administration problems; for example, a committee was appointed on the employment of labor in the Navy Yards, the investigation being undertaken at the request of Secretary Bonaparte. This investigation covered the Brooklyn, League Island, Boston and Portsmouth yards, on which separate reports were made by the Assistant Secretary of the League, who visited the yards. The report of the full committee was

submitted to the National Civil Service Commission and the Secretary of the Navy last August. This report points out marked defects in the present system, and recommends radical changes, particularly the abolition of

certain preferences not provided for by statute.

Another committee has made a report on superannution, which was read to the Council at Stockbridge in September. The general conclusions reached were that the amount of superannuation is very small, has not been growing, and is likely, on the contrary, to decrease; that the loss to the government from old employees is very small; that no special provision is necessary in the way of pensions or superannuation funds of which the United States government is to be made paymaster, as so often proposed; that if anything could be done, the best method suggested is the Australian system of compelling new appointees to take out deferred annuity policies under proper safeguards; and that employees over sixty-five years of age might be graded in salary according to the proportionate amount of work done in comparison to the work accomplished by a thoroughly efficient employee.

A committee on withdrawals and resignations from the service was appointed March 12, 1906, to consider the difficulties arising from the withdrawal and resignation of men from competitive places, owing to various causes, particularly the low pay in the higher positions, the small chance of promotion, and the better appoint-

ments in private business.

Another committee was appointed to consider the subject of removals, shortly after President Roosevelt's order modifying the removal rule. A preliminary report was made at the last meeting, and another one at the meeting of the Council at Stockbridge in September, the general purport of which was that the President's order had had no material effect, and was not expected to have any during the present administration; that the modification was believed, however, to be a mistake, which might lead to abuse under another executive. The committee favors the requirement that the cause should be stated, and opportunity given for explanation in writing.

The committee on executive and congressional

action was asked by the Council to consider to what branches the League should recommend the extension of competitive classification. Those particularly under consideration were the deputy collectors of internal revenue. the deputy marshals, the fourth class postmasters and the pension examining surgeons. They will also take up the question of carrying classification to the higher positions not confirmed by the Senate, as, for example, assistant postmasters. Numerous letters have been written, suggestions made, conferences held, advice given, bills drafted, complaints received and their grounds sifted, investigations carried on and reports made by the League, and its associations. These are too numerous to mention in detail, and often, too, the chief credit for the good that has followed, lies with those boards, officials and legislative bodies that have carried them to successful issue.

During the year, the Women's Auxiliaries and the General Federation of Women's Clubs have undertaken on a large scale, education and proselyting work, distribution of pamphlets, the introduction of the study of civil service reform into the schools, and have awarded prizes and medals for essays, have prepared courses of study for the clubs, organized committees, and arranged for numerous addresses on the subject. So much for the

League.

As for the President of the United States, by executive order of January 12, the competitive service on the Isthmus was reduced to inside men, as opposed to the field service. The rules now exempt from competition all officers and employees upon the Isthmus except clerks, bookkeepers, stenographers, typewriters, surgeons, physicians, trained nurses and draftsmen. No doubt the classification was carried too far at first, considering the great distance, the difficulty of securing people to work in a bad climate, and the lack of time for proper organization by the Civil Service Commission. Necessity for some amendment to the rules had been clearly shown, but we regret the exception of the entire engineering force, and we hope that, as the Civil Service Commission is better organized for the Isthmus work, the engineers may be restored to the civil service rules.

An order was also issued by the President excepting from competitive examination the mounted inspectors in the customs service on the Mexican border.

On June 21, the President made competitive deputy collectors, store-keepers and guagers in the fifth internal revenue district of North Carolina.

On June 27, following the passage of the Lodge Consular Bill, with all its civil service and promotion features struck out, the President issued regulations for appointments and promotions in the consular service. for appointments provide for a limited competition, the President naming a number of candidates, who are then to be subject to an examination and from the successful candidates will be selected the appointees to be sent to the Senate for confirmation. These examinations are under a board which includes the Chief Examiner of the Civil Service Commission, one of the assistant secretaries of state, and the head of the Consular Bureau. For those countries in which consuls have extra territorial powers. the examinations are to include a knowledge of law. This system gives far more hope of permanently taking the consular service out of politics than the mere pass examinations which were instituted some eight or nine vears ago.

On February 24, an executive order was issued concerning the laborers in the federal offices outside of Washington. Laborers found to be performing classified duties, subject to the approval of the Commission, were to be regarded as classified, and the further assignment of laborers to perform such work was forbidden. order was similar in scope to that issued during the previous year in regard to laborers in the departments in Washington. The purpose is to straighten out the complications now existing regarding the classified work of laborers, to prevent further violations, and to select laborers through a labor registration system. The regulations are now in effect in the federal labor service in Boston. New York, Buffalo, Philadelphia, Allegheny, Pittsburgh, Washington, D. C., Baltimore, Atlanta, Cincinnati, Cleveland, Columbus, Indianapolis, Louisville, Chicago, Detroit, Milwaukee, St. Paul, Minneapolis, Omaha, St. Louis, Kansas City, New Orleans, Denver, San Francisco and Portland, Oregon. These regulations provide for physical tests of unskilled laborers, and as a result, a fine set of strong young men are coming into the government service, instead of the decrepit old men we have so often seen. So successful has this been that in Massachusetts similar tests are to be used for the municipal service of the city of Boston by the State Commission.

During the year ending October 5, 1906, there were issued by the President, special exemptions to the rules covering sixty-six persons. Four of these, however, were on matters of form, to correct any possible misconstruction, so that there were practically sixty-two. Two of these affected laborers, leaving but sixty as compared with sixty-three reported at the annual meeting a year

ago.

Eighteen of the sixty were re-instatements after more than one year of absence; two of these eighteen had originally been removed on evidence which the department subsequently claimed to be false, and at all events, so much false testimony was given in the case, and the righteousness of the dismissal so uncertain, that they were re-instated. Nineteen were transfers to competitive positions after long service in non-competitive. Five were temporary appointments made permanent. Ten were cases of permanent appointments where no eligible list had been secured after six months' effort. One was a case of waiving the citizenship rule, and allowing a foreigner, who had done unclassified work, to enter the competitive examinations. One was a case of irregular promotion, and six appointments only were made wholly from outside. Of these six, one seems to have been an appointment entirely on charitable grounds; but another was a case of appointment of the Director for the experimental leprosy hospital in the Sandwich Islands. Only one person, capable of performing the work, was willing to take this position. He had been assistant instructor in pathology in the Harvard Medical School.

The plan of special exemptions was recommended to the President by United States Civil Service Commissioners Proctor and Foulke, and their opinion must have great weight with us. But after three years of experience and most careful consideration, it seems to the Council that it would be possible greatly to lessen the number of special exemptions, if not to do away with the need of them altogether, if particular positions were exempted and appropriate amendments to the civil service rules were made, dealing with the various grounds for special action.

It might be well to appoint a special committee to consider this subject. In general, special exemptions have the air of being arbitrary, and savour of imperial government, even when the causes for them are most reasonable. Again, appointments from outside the service on grounds of charity ought not to be allowed at all. Charity appeals take much time from the appointing officers, and will take more and more time as each appeal succeeds, and such appeals are hard to refuse. The President and Cabinet officers ought not to be subjected to them.

By executive order of November 7th, 1906, deputy collectors of internal revenue have been brought within the competitive classification. For this the League has long worked, and the Council congratulates its friends and the country at large upon this important extension. These deputies were put under civil service rules in the second administration of President Cleveland, and the Secretary of the Treasury reported that the system worked well and that increased revenues resulted. the action of President McKinley, however, these officials were taken out of the civil service rules, one ground being a doubt as to the legality or constitutionality of their classification. The League has prepared various briefs, which have been submitted to both President McKinley and President Roosevelt, on the subject, and resolutions have been passed year after year in favor of the inclusion. There was also evidence amounting to a moral certainty that appointments to the positions of deputy collector were made through the influence of the very interests that were to be inspected. This order of the President brings about eleven hundred important and influential officers, who have hitherto been extremely active in politics, under the merit system. This marks one of the most important stages of the reform in the national civil service.

Turning our eyes towards the United States Civil Service Commission, we all much regret the loss of Mr. Alford W. Cooley, who has resigned his position to take the appointment of Assistant Attorney General. His administrative talent, energy, courage and good address have done much to advance the cause of reform since his appointment in 1903. Perhaps his greatest work has been the establishment of the thirteen districts in the United States, each with its separate chairman of the civil service boards, an improvement in organization of

great permanent value.

The subject of Civil Service Commissioners naturally brings us to the question of their salaries. They receive \$3,500 a year, just as at first, when the service under them was less than one-thirteenth of what it is now, and when the positions were mostly clerical, while now they include every kind of office, up to those requiring scientific knowledge and training, and administrative and organizing ability of the highest order. The Commissioners have to move to and live in Washington, and devote all their time to the work. It is a wonder that it has been possible to secure the services of such able men as we have had, but it would be the poorest economy if broad minded and experienced men should have to decline the positions on account of the small compensation. Men of small ability and experience, and narrow minds, might do great harm both to the cause of reform and to the administrative work of the United States government.

During the year ending June 30th, 1906, over 115,000 persons were examined, a decrease of over 25,000 from the year before. It is well to consider yearly how the various appointments to the competitive service are made. This past year, 38,541, out of a total number of 53,371, or 72.1 per cent. were appointed through strict competition, an increase of 54 individuals over the year before. Eleven thousand, seven hundred and forty, or 22 per cent. of all the appointments to competitive positions, were temporary, mostly because the employment itself was transitory. These temporary employments were

chiefly in the field service, scattered throughout the country. A careful record of all such appointments is kept, and in many cases, the appointments are made from persons on the eligible lists, and as far as possible this is always enforced. Two and two-tenths per cent. of the appointments were re-instatements under the rules; one per cent. were the classifying of laborers doing classified work, already referred to; one-tenth per cent. were the special exemption cases mentioned above; and the rest include appointments by extensions of the service, either automatically, as in the case of forty-four postoffices given free delivery, or by including new positions within the rules.

The examinations for higher grade positions have been continued with great success. Those for constructing engineer and for consulting engineer in the reclamation service are particularly interesting as the ratings were determined exclusively upon inquiry into the previous experience and training of the candidates.

As to the number of removals during the year, there have been 3,603, or 2.1 per cent. of the classified service, an increase of one-half of one per cent. over the rate of

the year before.

Investigations into cases of political activity and political assessments have continued. Mr. Robert A. Sharkey. naval officer, New York, was refused re-appointment by the President upon the report of Commissioner Cooley on his political discrimination among his employees in making promotions. Mr. Sharkev is a Republican district leader. In the postoffice of Goshen, Indiana, after investigation by the Civil Service Commission into alleged political assessments, Mr. W. W. Huffman, referred to in our report of last year, who was a member of the Republican state committee, has since been indicted and pleaded guilty, and postmaster Sherwin was removed from that office the day before his term expired. southern Ohio, Mr. Vivian J. Fagin, United States Marshal, after investigation and report by the Commission, was removed from office by the President for levying political assessments.

As the employments under the civil service law and

rules have become more and more varied, the need of adopting the best methods by the various commissions has become more and more apparent, and at the invitation of the United States Civil Service Commission, a conference of representatives of the commissions throughout the country was held in Washington on May 15th and Most interesting discussions of the various problems of administration and examination were held, the delegates were received by President Roosevelt, an organization was accomplished, and plans were adopted for further meetings, for exchange of examination papers and other useful information. Following the precedent, a conference of representatives of civil service commissions in New York State was held at Albany, October 11th and 12th, by the invitation of the New York State Commission.

In Congress, the most important measure affecting civil service reform was the Lodge Consular Bill, which, though shorn of its civil service reform amendments, provided for a better classification of the consular service, the abolition of many of the fees, and the like, thus putting the service on a basis which was a necessary preliminary step before the President could adopt his rules of June 27th.

A large number of retirement bills were introduced, the so-called Perkins Bill in the Senate receiving the approval of the United States Civil Service Retirement Association. A number of veteran preference bills were introduced, as in former years, but there was no agitation on their behalf, nor were they advanced on the calendar.

The meat inspection provisions of the Agricultural Appropriation Bill authorized the appointment of meat inspectors during the first year without compliance with the civil service rules. Letters were sent to the newspapers throughout the country by the League. Letters were written by your chairman to President Roosevelt and others. The Commission stated that it could easily supply the needs of the service. The objectionable provisions were struck out, the President having already

moved in that direction before he had received the request of the League.

As to the dependencies, in Porto Rico, the federal service of the United States extends to that island, covering the custom houses, etc., and that is subject to the United States civil service law. There is no civil service law, however, applying to the insular or municipal service on the island. The League has, in former years, through its committee on dependencies, urged the adoption of such laws. Governor Winthrop has strongly urged it in his messages, and last year Commissioner Cooley visited Porto Rico, and made like recommendations. Subsequently a bill passed the House of Delegates, but failed in conference with the Porto Rico Senate shortly before the close of the session. No civil service bill has passed this year, and the condition remains as before.

In the Philippines, the League has received no substantial complaint of the administration of the system there. The last report received from the Civil Service Board of the Philippines shows that the number of applicants is increasing. The number of natives who entered and passed examinations conducted in English is larger than ever before since the organization of the Board. Seventy per cent. of the applicants who entered the English examinations were Filipinos, as against fortyfour per cent. a year ago. The needs of the service for appointees having the knowledge called for in the second and third grade English, and the Philippine teacher examinations are now being fully met by the number of Filipinos who qualify. When the Act became operative in April, 1901, Filipinos constituted only a small proportion of the officers and employees in the classified service. Two years later, the number of American and Filipinos in the service above the grade of laborer was about equal. On January 1st, 1905, the ratio was approximately three Americans to four Filipinos, and the report states that by the end of this calendar year, the ratio is expected to be nearly one to two in favor of the natives. As a rule, the Americans still hold the larger part of the higher offices.

As to the condition of civil service reform in the various states, we do not wish to forestall the interesting reports which we shall receive at this meeting from the different associations. Touching briefly, however, upon some of the more important points, we may say that in New York, Mr. Harry H. Bender, Fiscal Supervisor of State Charities, who, with his secretary, Herbert F. Prescott, was accused of violating the civil service law in regard to political assessments, was not removed by Governor Higgins, although the investigation by the Civil Service Commission showed, by a unanimous report, that both Mr. Bender and Mr. Prescott had broken the law, and that Mr. Bender had resorted to the courts to prevent investigation, thus practically admitting his guilt. The refusal was based upon purely technical, and it seems to us, unsound grounds, and this action is in great contrast to that of President Roosevelt in his handling of similar cases in the federal service.

In Massachusetts, many bills injurious to the cause of reform were defeated in the Legislature by the aid of the state association, but none of its own bills became law. However, it secured larger appropriations for the Commission. In Pennsylvania, the state civil service law failed of passage; but a bill applying to Philadelphia only, and which had the support of Mayor Weaver, passed. An excellent commission was appointed to administer it, and examinations have been held with great success, applying even to some heads of bureaus. In New Jersey, a complete civil service reform bill for the state and counties was introduced in the Legislature. No bill was reported, but a committee of three of the Senate was appointed to consider and investigate, and report at the next session. In Illinois, the work of the State Commission, covering employees of charitable institutions, has been faithfully carried out under the new law, but Mayor Dunne of Chicago is said to have weakened the city Commission. In Ohio, a law was introduced covering the service of the state, counties and municipalities; but that failed, and so also did an optional bill for cities. In Wisconsin, the law passed a year ago has apparently been faithfully and successfully carried out. In Virginia, a

new charter for the city of Norfolk, containing provisions for a Civil Service Commission was passed. Connecticut will this year amply speak for herself.

Congratulating ourselves as we may well do over the achievements of the past twenty-five years, much still remains for our League to do, to educate, extend and enforce. More education is needed even in those communities where we have longest had the benefits of the reform. Its aims, methods and scope are strangely misunderstood even by those who are in the main on our side.

Extension is needed in the national service for the pension examining surgeons, assistant postmasters (following the precedent set last year by including assistant collectors of customs) clerks in non-free delivery postoffices, and the 62,000 fourth class postmasters. These positions can be brought under the Pendleton Act by executive order. Following the plan adopted for United States consuls, the first, second and third class postmasters, some five thousand in number, might be nominated for confirmation by the Senate on a merit plan, for example, on a basis of promotion from among assistant postmasters, or postmasters with smaller salaries who have shown the best administration of their offices, following the English scheme.

By congressional action, the employees of the Senate and House of Representatives at the Capitol in Washington should be selected by competition, unless, as recently suggested by one civil service reform member of Congress, we wish to keep them as they are for awhile longer, so that the extravagance and unsatisfactory service of the men employed as messengers and doorkeepers may serve as a living witness to the dangers and disadvantages of the old spoils system.

Extension is needed for the states, cities and counties which have no civil service laws, and unfortunately, that means for much the largest part of the country.

We also need extension upwards where the laws already exist, and it may be deemed wise to carry this as far as the heads of administrative municipal departments, for if such a plan is thought practicable it promises to

take not only valuable patronage, but municipal contracts and jobs out of politics, and thus offers the possibility of the most far reaching measure of municipal as well as civil service reform we have in view. The League is considering this through a committee which will doubtless keep us informed on the merits of the subject from time to time.

Enforcement is needed through improved administration, through investigation followed by executive orders or legal process; and finally, we must be prepared for most vigorous action, perhaps for open warfare, should a future national executive be indifferent or hostile to the reform.

Respectfully submitted,
RICHARD HENRY DANA,
Chairman

RESOLUTIONSLOF THE LEAGUE.

All positions in the public service, the faithful performance of whose duties involves no opinion of the incumbent upon the issues which divide men into opposing political parties, should be filled by methods which exclude all reference to such opinions. In the conditions obtaining in this country, the honesty and ability of the person seeking such a position and his fitness to perform its duties can best be ascertained as the result of an examination and, wherever practicable, of an open competitive examination, followed by a period of employment on probation.

A firm belief in the soundness of these principles and the desire to have them put into practice in the public service of the United States led to the formation of the League in August, 1881; and a great variety of experience since then has abundantly and conclusively proved not only their soundness but their eminent practicality when

competently applied.

"A bill to regulate and improve the civil service of the United States" embodying these principles was enacted into law in January, 1883. It is known as the Civil Service Act. This act classified, that is, brought within the operation of the act and such rules as might be formulated under its authority, approximately 14,000 positions in the public service; permitted the President to classify all appointive public positions not requiring confirmation by the Senate and above those of day laborer; and authorized him to appoint, by and with the advice and consent of the Senate, a commission to aid him in administering the civil service act and in preparing suitable rules for carrying it into effect.

Step by step, under successive Presidents the Classified Service has been extended; and it has been demonstrated that, under a wise and efficient administration of

the Civil Service Act and Rules, every position in the purely administrative public service of the nation, with rare exceptions rapidly diminishing in number under the teachings of experience, can be filled, and successfully filled, as the result of an open competitive examination. On June 30, 1906, the total number of positions in the civil service of the United States was 326,855. included several thousand unskilled laborers, but there is at present no way of ascertaining their number with precision. Of these 326,855 positions, 184,178 were in the classified competitive service. Nor is this all. By executive orders in November and December, 1904, the employment of day laborers in the public service, first in the Washington departments and later in departments outside of Washington, wherever their number was sufficient to justify it, has been made subject to regulations embodying the underlying principles of the Civil Service Act; and in June of the present year the President promulgated regulations applying these principles to appointment and promotion in the consular service, the Senate, of course, still retaining its right to accept or reject the President's nominees to consulships. within the last fortnight the 1,100 Deputy Collectors of Internal Revenue have been placed within the competitive service. The National Civil Service Reform League feels profound satisfaction in this record of magnificent accomplishment and looks forward hopefully to the rapidly approaching time when the intelligent application of the merit principle will have driven the unpatriotic and debasing spoils virus from the public service of the United States.

The lack of adequate financial support has constantly interfered with the efficient adminsitration of the Civil Service Act and unduly delayed the accomplishment of its beneficent purpose. This lack can be supplied only by Congress. The President may be never so loyal to the spirit and intent of the Act, he may appoint a commission never so competent to carry out its purpose—unless the Congress sustain the President and his commission by adequate appropriations, progress must be

halting and the actual administration imperfect in many respects. The members of the commission are the heads of a governmental department inferior in importance to none; they must make Washington their residence and devote their entire time to the performance of their official duties. The League appeals to Congress at the session about to be held to make the salaries of the commissioners adequate to the duties and responsibilities of their positions and to grant an ample appropriation for the work of the commission, so that it may be equipped not only to administer competently the Civil Service Act and Rules within those branches of the public service already clasified but may greatly enlarge the scope of its public spirited activities. The rapidly increasing population of the country is, year by year, adding to the number in its civil service; the spirit of the times is constantly making more demands upon the purely administrative functions of government and putting new administrative burdens upon it. Its aid will be more and more invoked and more and more needed, to protect the interests of the public against the persistent assaults of private greed. That protection will be a feeble reliance without an intelligent and thorough enforcement of the merit principle in the civil service of the government.

THE LEAGUE COMMENDS:

The noteworthy efficiency of the present Civil Service Commission and the standard to which, with the cordial support of President Roosevelt, it has brought the classified service;

The ability which the commission has shown in providing satisfactorily for the filling of high grade positions in the public service through competitive examinations:

The action of the President in establishing regulations based upon the merit principle for entrance and promotion in the consular service;

The removal by the President of officials found by the commission to have violated the provisions of the Civil Service Act in regard to political assessments, the President taking a broad and wholesome view in favor of the

thorough enforcement of the law according to its spirit and refusing to excuse violations on technical grounds;

The appointments to the cabinet of another well known, earnest and sincere supporter of the application of the merit principle in the administrative public service in the person of Oscar S. Straus, a vice-president of the New York Civil Service Reform Association;

The President's order of November 7 which restores to the competitive class the positions of Deputy Collectors of Internal Revenue, first classified by President Cleveland (May 6, 1896) but withdrawn from competition by President McKinley's order of May 29, 1899;

The signs of increased interest and of belief in the merit principle throughout the country and of the determination to have it embodied in law and enforced in practice:

The important educational work so practically and energetically conducted by organizations of women devoted to the advancement of civil service reform.

THE LEAGUE URGES:

That the assistant postmasters, the employees in non-free delivery post-offices, the fourth class postmasters, and the surgeons examining applicants for pensions be brought under the operation of the Civil Service Act and Rules:

That the precedent established by the President's consular order of June 27, 1906, be followed in the appointment of Presidential postmasters. These are by law and should be in fact purely business officers:

That special attention be directed to perfecting the methods of administration and examination within the classified service and that with this end in view more conferences of the representatives of Civil Service Commissions be held, such as those during the past year in Washington and Albany. No effort should be spared to make the examinations and inquiries cover every point that would be a proper subject of inquiry by a private employer;

That the United States Civil Service Commission be

given power to investigate and report upon any violation of the principle embodied in the executive order of President Cleveland of June 14, 1886, which requires that purely administrative officers abstain from partisan political activity. This same wise and wholesome principle is found in the Burrage Ordinance in Boston and in the recent Shern Law for Philadelphia. It should be put in force throughout the entire civil service of the country;

That the employees of the Congressional Library be brought within the competitive service, and the merit system be applied to the whole of the municipal civil

service of the District of Columbia;

The repeal of the four year term of office law and a general adoption of the principle of tenure of office during efficiency and good behavior;

The introduction of the Merit System into the Insular

and Municipal Civil Service of Porto Rico;

That the believers in the merit principle make renewed and most urgent efforts to establish and extend it in the public service of states and cities. The rapid increase of the business functions of modern cities is a familiar fact, and it is perfectly clear that it is only by a strict enforcement of the Merit System that these functions can be successfully discharged.

We recognize the great difficulty that would be encountered in placing within the classified service all the employees engaged in the Isthmian Canal work; but we regret that the executive order of January 12, 1906, withdrew the entire engineering force on the canal from the

competitive service.

The League expresses again its firm belief that the granting by executive orders of special exceptions of particular individuals from the operation of the Civil Service Act and Rules is open to grave objection. However appropriate or well considered may be each individual case, the fact that an exception is made leads to popular error in regard to the enforcement of the rules and tends to injure the good repute of the administration. It would be far better if a rule were made and properly guarded against abuse which would cover all such cases as have merit. Exceptions if governed by such a rule

would not have the unfortunate appearance of being arbitrary.

The League condemns the action of the Governor of New York in dismissing on purely technical grounds the charges against Harry H. Bender, Fiscal Supervisor of State Charities, for violation of the New York Civil Service Law. Mr. Bender has been shown to be a flagrant and persistent collector of political contributions from employees in the civil service of the State and by resorting to every available means to avoid and delay investigation by the State Civil Service Commission, has practically

admitted his guilt.

The League records its high appreciation of the valuable services of Hon. Alford W. Cooley. His zeal, ability and constructive work as a United States Civil Service Commissioner have been marked. The League regrets sincerely that Mr. Cooley feels constrained to retire from the Commission. Mr. Cooley's retirement calls renewed attention to the public damage caused by the conduct of Congress which compels the members of the Commission to attempt to carry on work of such vast scope and so vital to the public interests with niggardly salaries and with insufficient appropriations.

Report of the Committee on Consular Reform.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

Your Committee on Reform of the Consular Service is able to report progress of the most encouraging character during the year now ending. The bill introduced by Mr. Lodge in the Senate a year ago not only embodied the plan developed by the Secretary of State and supported by the President, but represented the concrete result of the study of the subject, down to that time, by all actively interested in it. It contained many of the detailed suggestions that have been presented from time to time in the reports of the League. As introduced, it provided not only for an orderly classification of the Consular Service and for more businesslike methods in the conduct of its business, but provided also that appointments should be made to the service at large after competitive examinations, that promotions and transfers should be based upon merit, without confirmation by the Senate, as at present, in each particular case. During the course of the measure in Congress the so-called "merit" provisions were stricken out and the classification was rendered far less valuable through the elimination of the transfer section, providing for the interchange of consuls between positions of the identical rank and salary in a particular class. Enough, however, was left of the bill to furnish a basis for a real start toward securing both better organization and better methods. The fact was recognized throughout the debates, by implication at least, that the President has the constitutional power to prescribe such rules governing appointment and promotion as he may deem fit—although his action in this respect would not be necessarily binding upon his successorsand that strong probability existed that Congress had no real right to pass a law that would dictate to him anything under this head, whether the objects of such a law were benevolent or otherwise.

The reorganization act was approved by the President on April 5. On June 25 the Secretary of State, Mr. Root, submitted for his consideration a draft of an executive order designed to apply to the reorganized service many of the merit provisions that had been dropped from the bill in transit, though omitting the detail of open competition in the examinations for original appointment. This draft the President adopted. It was promulgated as an executive order on June 27 and the changes it had in view are already working out with the best of practical results.

The executive order which was formulated under the very broad powers conferred upon the President by Sec-

tion 1753 of the Revised Statutes provided:—

(1) That the usual means of filling all vacancies in the office of either consul-general or consul above class 8—in other words, all above \$2,500 should be by promotions from the lower grades, based upon ability and efficiency as shown in actual service.

(2) That vacancies in positions of classes 8 or 9 should be filled either by the promotion of consular clerks, vice-consuls, deputy consuls and others, who shall have been appointed to such positions after examination, or by the original appointment of candidates who have passed

a satisfactory entrance examination.

(3) That persons in the service of the Department of State in the home offices, receiving a salary of \$2,000 or upwards, shall be eligible for promotion for proved ability and efficiency to any grade of the Consular Service above class 8. Though promotion of this sort, placing an officer of the home service in a consulate, would require confirmation by the Senate, it may at least be assumed that such confirmation would usually be given, and that the order in this respect would open the way towards such a system of profitable exchange between foreign and home offices as prevails in Great Britain and other nations in which the Consular Service is highly developed.

(4) That the Board of Examiners for admission to the service shall consist of the Secretary of State or some other officer of the department designated by the President, the Chief of the Consular Bureau, and either the Chief Examiner of the Civil Service Commission or such other person in the Commission's service as it may designate.

(5) That the Board of Examiners shall have the power to formulate rules for the conduct of examinations.

(6) That the examiners shall determine the scope and methods of examinations, but that among the obligatory subjects shall be:

"(a) At least one modern language other than Eng-

lish;

- "(b) The natural, industrial and commercial resources and the commerce of the United States, especially with reference to the possibilities of increasing and extending the trade of the United States with foreign countries;
 - "(c) Political economy; and
- "(d) Elements of international, commercial and maritime law."
- (7) That no person shall be certified for appointment who is rated at less than 80 per cent, in a scale of 100.
- (8) That no one shall be examined who is under twenty-one or over fifty years of age, or who is not a citizen of the United States, or who is not of good character and habits and physically and mentally qualified for the proper performance of consular work, or who has not been specially designated for examination by the President.
- (9) That when vacancies occur in the lower grades there shall be certified to the President the list of all those eligible for appointment who have received the minimum marking, together with a detailed report showing the qualifications of each candidate as revealed by the examination. If the position to be filled is in a country in which the United States exercises extra-territorial jurisdiction, the examiners will certify only such persons as have passed a supplementary examination in the fundamental principles of the common law, the rules of evidence and the trial of civil and criminal cases.
- (10) That in the making of selections for appointment, so far as practicable, the states and territories shall be given proportional representation in the service, in

this regard following the apportionment law applying to the broader civil service.

The President, under the plan outlined, reserves the right to appoint any person who has received the minimum marking without regard to his relative standing on any list, though it may be accepted that President Roosevelt's usual course would be to select those standing highest. No doubt all future applicants for appointment to the service who can present to the President the necessary preliminary credentials will be sent, without discrimination, to the examiners. If, therefore, the practice of selecting from among the highest does prevail, there will be at least a limited competition. Your committee hope that in time competition may be made the rule. A most significant and important start at least has been made in that direction.

Although the underlying plan of the President's order is not dissimilar in many respects from the earlier order of President Cleveland, of date of September 20, 1895, it is in its full scope a great improvement on the earlier system. The requirements as to subjects of examination are more practical and more comprehensive. The Examing Board, including, as it does, a representative of the Civil Service Commission, will be better equipped in expert efficiency. The rules are to apply to the higher offices as well as to the lowest, instead of stopping at \$2,500, as the Cleveland rules did. The provisions for promotion and transfer, even though encumbered by the insistence of Congress that there shall be a new nomination to the Senate whenever a consul takes a different post, will give a great deal more reality to the system than would have been possible ten years ago.

Under date of August 13 a second executive order was issued incorporating in the Consular regulations the various provisions of the reorganization act relating to the conduct of individual offices, and on August 16 a very important set of supplementary rules were adopted by the State Department governing the appointment of "student interpreters" in China and Japan. It is expected that this body, for which an appropriation was made in the Diplomatic and Consular Act of June 16, will be the

forerunner of an Oriental service, following the lines of that of Great Britain. Applicants for appointment are required to be unmarried and between the ages of 19 and 26, inclusive. Emphasis is laid upon the fact that they must present evidence of good character and strong constitution, as well as of deportment and education. are required to pass a severe entrance examination and must sign an agreement to continue in the service so long as their services may be required, within a period of ten years. Their salaries are fixed at \$1,000 a year, with an extra allowance of \$125 annually for their tuition in the Oriental languages, which may continue so long as may be necessary. After an interval of two years from the passage of the first examination they will be required to pass a second, more difficult than the first, though similar in scope, with the additional requirement of a fair knowledge of international law, consular regulations and practice; and, after the passage of another two years, will be given a final examination with the additional requirement of knowledge of common, criminal and admiralty law. It will then be expected that they shall be eligible for promotion to the Consular Service.

We are advised that the various provisions of the executive order are becoming rapidly effective and that the results, both in the character of the men presented for appointment and the improvement in the general tone of

the service are admirable.

Too much credit cannot, of course, be given to President Roosevelt and Secretary Root for their part in all that has been done. The persistency of Senator Lodge, who, year after year, has contended in Congress for the reform of the Consular Service, and who lent the most of the force that put through the present reorganization bill, should also be heartily recognized. The commercial bodies of the country which have lent their powerful support to the movement have formed another most important agency. A representative convention composed of leading business men from all parts of the country was held in Washington early in the winter, and a demonstration then made which no doubt very largely influenced the action of Congress and assured the President—

had he need of such assurance—of the very businesslike and earnest demand of the commercial interests of the country for a service of the sort that has since been made

possible.

It is interesting to note that coincidentally with these very important advances in the conversion of the service into a professional career the Universities of Columbia and Yale have established jointly a school for preparation for foreign service—the Diplomatic and Consular service being, of course, its principal objective. This school has established a very comprehensive and sensible curriculum and is now receiving its first students, and it is not too much to expect that within a short time its graduates and the graduates, possibly, of similar institutions in other parts of the country will be among those naturally preferred for appointment to the service, and that in this regard also the United States will be placed more upon a par with other progressive nations.

Your committee has considered the question as to whether any further legislation should be urged. It is convinced, however, that at this time further agitation before Congress, so far as the League at least is concerned, would be unwise. It is certainly desirable that at some early date those principles of the executive orders, supplementing the provisions of the reorganization act, should also, so far as practicable, be made permanent by law. But the Committee believes that some time should be allowed for the development of the system as it stands before further suggestions to this effect are

made.

Respectfully submitted,
GEORGE McAneny,
Chairman, Committee on Consular Reform.

Report of the Special Committee on Removals.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

Your Committee on Removals in the civil service has but a brief duty to perform. Appointed soon after the President's order of October 17, 1905, modifying the rule governing removals in the Federal service, the committee has felt that its main purpose was to consider and report on the proper restrictions, if any, which should be placed on the exercise of the power of removal in that service. It was able at the last annual meeting to present certain general conclusions, unanimously arrived at, but desired not to pass judgment on the modification of the Federal rule made by the President until sufficient time in which to observe the results of the change had elapsed.

The official report of the Civil Service Commission for the year ending June 30, 1906, will show the number of removals from competitive positions to have been 3,603 as against 2,505 in the previous year. This is a marked increase from 1.6 per cent. to 2.1 per cent. But from the best information obtainable we are led to believe this increase in the number of removals to have been due almost entirely to causes other than the modification in the removal rule, such as large reductions in force and a failure of certain branches of the service to report fully the number of removals in the year ending June 30, 1905. Indeed, it is the opinion of those officials who would watch with most interest the effect of the modification of the rule, that the change has not been taken advantage of by those having the power of removal to any appreciable extent. This is borne out by our own observation in certain Federal offices in New York, for instance, the procedure followed in cases of removal before the President's modification of the rule is still continued.

There is no reason to suppose that more use will be made of the amended removal rule in the next two years

than in the year it has been in force. Experience with the rule in its present form has but served to bear out the prediction made in our previous report, that the committee "is confident that the rule will not be abused under the present administration and, indeed, is of the opinion that the change will not, to any marked extent, increase the usual percentage of removals in the Federal service."

Under these circumstances the committee cannot find any reasons for modifying the conclusions arrived at in its report last year, which were simply a restatement of what the League as the result of its observation in the Federal service and that of states and cities, has advocated for many years. Recapitulating and giving in more detail what was there said, a removal rule in order not to hamper unduly the appointing officer and at the same time to give due protection to public employees against removal for improper reasons, should contain the following provisions:

(1) That no trial or hearing in cases of removal

should be required.

(2) That before the removal is made the reasons should be transmitted to the employee and a reasonable time allowed him in which to make answer in writing or orally as the appointing officer may determine.

(3) That the reasons for removal should be so specifically stated that an answer thereto is possible and should not be a mere general allegation of incompetency.

(4) That the appointing officer should have power

to suspend the employee pending removal.

- (5) That the reasons for removal and the answer thereto should be filed with the Civil Service Commission or, where this is impracticable, that the Commission may require their production before them when complaint is made.
- (6) That the action of the appointing officer in making a removal shall be final except only where it can be shown that the procedure required by the rule has not been faithfully adhered to or that the civil service law has been violated in that the removal was made for political or religious reasons.

The main feature in which the present rule governing removals in the Federal service does not conform to the above is in the absence of a provision that a reasonable time should be allowed to the employee to file an answer to the reasons given for his removal before removal is made. The opportunity that this offers for injustice to the employee and lasting injury to his reputation through the filing of unjust charges to which no answer can be placed on record, while it will not be taken advantage of by this administration, is liable to serious abuse under an administration not equally desirous of upholding and advancing the principles of the merit system as this administration has proved itself to be.

Your committee was asked to consider the advisability and practicability of placing the virtual power of removal in the Federal service outside of Washington in local

executive officers.

In our opinion, after consultation with Federal officials, this change is of extremely doubtful advisability at the present time and under present conditions. It is a fact to be faced at the same time that it is to be deplored, that under the present system the heads of local Federal offices must inevitably be appointed in almost all cases for political considerations, on the recommendation of Senators and Representatives. The appointees in most cases remain active in politics after assuming office and are interested in providing patronage for the local political organization to which they belong and in executing political reprisals. While this remains the case we cannot advise the transfer to local executive officers of the actual power of removal now vested in the heads of departments in Washington, who have no like interest in political conditions. The present requirement for their final action before removal actually takes place, while undoubtedly vexatious and hampering to those officials who are interested in the administration of their office. serves in the main as a wholesome check on attempts at political proscription.

The proposed change also involves some important legal questions. Unless otherwise provided by law the power of removal is in the officer possessing the power

of appointment and in the case of employees of local Federal offices the power of appointment is vested in the head of the department in Washington to which the office is attached. The question whether, under these circumstances, it is possible to grant the power of removal to local executive officers need not be entered into here in view of our conclusion, that the plan is not to be recommended under conditions now existing.

Respectfully submitted,

SAMUEL H. ORDWAY, ROBERT D. JENKS, GEORGE MCANENY, WILLIAM W. VAUGHAN, ANSLEY WILCOX.

The Higher Municipal Appointive Offices and the Merit System.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

The Merit System has now been a part of the administration of the civil service in three jurisdictions—the United States, New York and Massachusetts-for a period of over twenty years, and for a less period in some other places. Its beginnings were comparatively small, but its success has been such that the number of positions to which it has been extended has been gradually but constantly increased. This extension in the Federal Service has been to a degree upwards, that is, to include offices of increasing importance. In the State and Municipal Service it has been perhaps more, so to speak, horizontal, that is, to include a constantly increasing number of positions of the same general grade or character. We may safely say that now it is but a logical development to extend it to the higher offices. Where the system has been on trial the body of the civil service, National. State and Municipal, has been largely separated from politics, and the results have justified the efforts made on its behalf.

But we are, as every one recognizes, still a long way off from political purity. There have always existed a number of political abuses which lie apart from the mere question of appointment to office by favor, and some of which the civil service laws when first enacted sought, in part at least, to remedy by provisions distinct from those relating to appointment to office. Such are, for instance, the practice of levying political assessments on, and the forcing of political work from, employees whether appointed directly or through the competitive system, and the distribution of municipal contracts and jobs as political favors. The check to the power of political ap-

pointment, which the civil service laws have provided, has decreased to a degree the extent of these abuses, but it has never been considered that the competitive system of appointment would reform them altogether. But we believe that an extension of the system to include many of the higher offices which at present are tacitly considered beyond its scope, would be a most effective aid in such reform. Such an extension is but the logical development of the reform, and it has the additional and great merit that the more important the office affected, the more effective must the extension necessarily be in divorcing the office from politics.

We have done great good by taking the minor positions even partially out of politics. In this way we have greatly reduced the power of the political "boss," and we have secured brains in the great body of the public employment. Is there not some way of taking the higher municipal officials out of politics, and thus securing brains not only in the bodies of the departments, but in their heads, and, above all, still further reducing the number and power of the public enemies? Why not apply the principles and methods of civil service reform to the

higher municipal offices?

Under the present city charters, some of the higher municipal offices are in the nature of cabinet, or advisory, positions to the mayor. There are also boards, such as park commissions, trustees of city hospitals and the like, that are made up of business men, often not giving their whole time to their duties, but serving to popularize the needs of the parks and the city hospitals, giving the experts the aid of their business judgment, and advising the chief executive, who usually appoints them. No one, we suppose, would suggest that such positions should be filled by the competitive system.

There are, on the other hand, very many positions which do not exercise these higher executive functions, but whose business is purely administrative, and some of these higher positions, as at present constituted, combine both functions. If the principles and methods of our reform are to be applied to the appointment of the heads of municipal departments, our city charters should be

amended where needed, to separate the executive, or public policy determining heads of departments from those that are purely administrative, giving the latter the control of all public contracts and employment and putting the administrative heads under civil service rules. If this be done, we shall then not only take the patronage of many higher municipal offices, with their exempted positions, out of politics, but we shall lessen the opportunity for assessments for political purposes, or coerced political activity, or politically awarded contracts. We should have taken away the very motive that induces many people to go into politics, namely, for what they can get out of politics.

Is there any reason why those heads of departments whose duties are now, or may hereafter be made, purely administrative, should continue to be filled on party grounds? Is there a Democratic, as distinct from a Republican, sewer system? Is there a municipal party kind of street pavement proposed? Is there any political and public issue with reference to such matters, except to have the work done honestly, efficiently and econom-

ically?

If then we are to consider taking such offices out of politics through the Merit System, we should ask first are civil service examinations appropriate tests for any positions having the requirements of administrative heads of departments? We learn from the United States Civil Service Commission that "positions requiring the highest character of technical and professional training, together with long experience in the discharge of important supervisory or administrative duties in connection therewith" have been successfully filled through the competitive sys-These positions have annual salaries varying from \$3500 to \$4500, and include such positons as Supervising Architect, United States Treasury; Highway Engineer, Department of Agriculture; Consulting Engineer, Geological Survey; Chief, Division of Pharmacology; Administrative Biologist and Bacteriological Chemist; Consulting Engineer for sewer and water works for the Philippine service, and many other bureau heads. Philadelphia, the Superintendent of Streets and other

bureau chiefs, and some superintendents of streets. city bacteriologists, etc., in Massachusetts have been ap-

pointed under the competitive system.

The examination for such positions consists in large part of an inquiry into the education, training and experience of the candidates, with special reference to the kind and extent of work done by them, and to any exhibition of administrative and organizing ability. This inquiry is not limited to the candidates, but is sometimes extended to their former employers. Indeed, it ought to be very like the investigation a wise railroad president would make when looking for a division superintendent or a department engineer. In some cases where such ability is of paramount importance, only those candidates who have shown sufficient experience of that kind have been allowed to compete in the examination held subsequent to the preliminary experience inquiry. This was the case, for example, with the examination for Supervising Architect of the Treasury Department. Two recent examinations, one for Constructing Engineer, and the other for Consulting Engineer for the United States Reclamation Service, held by the Civil Service Commission, were wholly devoted to investigation of previous experience and training. The examination after the preliminary experience inquiry consists for the most part in an essay on the best ways of accomplishing the work of the department, and this gives an opportunity to show originality and suggestiveness. Sometimes information questions are asked, but they are not of the academic kind. but practical ones, involving the knowledge which an expert ought to have at his fingers' ends.

Will able men be willing to apply for these examinations? Excepting for one or two positions in the Philippine and Isthmian service, the Commission reports, "A sufficient number of qualified persons were secured for these examinations." (22d Report, U. S. Civil Service Commission, p. 27.) Hundreds of engineers have applied for the examinations for engineers in the canal service of the state of New York. The two chief professors of engineering at the Massachusetts Institute of Technology have testified before a legislative committee that, as it is to-day, they recommend their graduates not to apply for municipal positions, but that, should the merit system be adopted for the higher municipal appointive offices, they would give the opposite advice. When it becomes fully understood that these examinations consist so largely in inquiry into successful work already accomplished, and have nothing to do with the long forgotten school education, it is believed that men of the very highest talent can be induced, and indeed will be proud, to have their successful careers thus investigated. Again, promotion from among those selected to fill the positions of assistants will, as a rule, in the big departments of the larger cities, be the method of selecting their heads. The examinations will be directly used only when there is no available material for promotion.

Has such a system been in operation in any large city? Yes, in the city of Paris, France, which Albert Shaw, in his "Municipal Government in Continental Europe," calls the "typical modern city." He says:—

"There can be no comprehension, however faint, of the government of Paris which does not take into account the superb permanent organization of the civil service machine. It is to this 'tertium quid' that one must look if he would discover the real unity and continuity of the administrative work of the Paris municipality. Prefects may come and go, ministries may change with the seasons, and municipal councils may debate and harrangue until they make the doings at the Hotel de Ville a byword for futile and noisy discussion. But the splendid administrative machine moves steadily on."

This civil service machine includes civil engineers, architects, physicians, and in fact all the highest administrative officers, except the Prefect, who is practically the Mayor. The high positions in this civil service are filled partly by examinations, largely competitive (pp. 43 and 105), and partly through promotion from those who have obtained honors in "the splendid series of municipal and national technical and professional schools which train men for every special department of municipal activity." The high honors in these technical and professional schools are gained by competitive examina-

tions. It is therefore a system of competitive examinations which is relied upon to keep this splendid service out of politics and to furnish its personnel.

How can we have local self government under such a system? This great board of permanent civil servants will suggest public works, and give minutely analyzed financial budgets; but the city legislative and executive, with their various cabinet officers, if such it is deemed best to have, will pass upon these and decide how much tax shall be paid, how far and in what direction improvements shall extend, and the like. But the execution of all the details, the preparation and enforcement of the various contracts, will be carried out by these experts. Should any official refuse to carry out the policies decided upon by the people's representatives, that, of itself, would be sufficient cause for removal.

Can such bodies be trusted to act honestly? their members hold their positions during honesty and capacity. They have no other backing but their own merit. The United States army engineers, under whom the great river and harbor improvements are made, the United States Navy officers, under whom repairs, and sometimes the building, of ironclads are done, the Paris engineers and other such bodies, have maintained the very highest character for honesty and integrity. Moreover, the record of character of competitive appointees in the United States has been very high. This was well shown in the post-office scandals of a few years ago. No one of the officials who were indicted was appointed under competition. In the Philippine service, according to last year's report, "of the thirty-four subordinate officials, some of whom were defaulters, separated from the service without a good record, * * * only one entered the service as the result of examination and certification by the Board." It is expected that where the executive and perhaps the legislative bodies are implicated in the appointments, the tendency will be for them to cover up any scandals, but where the work is done by boards so largely independent, the mayor and city council become watchdogs of the treasury, and would ferret out every shortcoming.

Another great benefit of such permanent administrative boards is their influence and control over public franchises, licenses and the like. In Paris, no public franchise can be granted by the city council till it has been passed on by the administrative board and a thorough report made as to the value, and the best way of securing its worth to the city treasury with justice to the corporation seeking the franchise. If the city council should depart seriously from the lines thus laid down, without adequate explanation, the voter has official data with which to judge of the actions of his representatives when they come up for re-election.

Besides this, the board, through its various branches, has the administration of the laws and ordinances regulating the use of these public franchises. In this way, quasi public corporations are not forced into politics, the public is protected and "graft" is made difficult to obtain.

As to the introduction of such a system, there are, under many city charters, positions to which the system, if applicable, could be immediately extended, such as superintendent of streets in many cities, superintendent of sewers, head of the street cleaning department and the like. In Massachusetts, the civil service law especially prohibits any head of a municipal department from being put under civil service rules. Positions in one city which are called heads of departments, are exempt from the rules, while similar positions in another city, with another title, are filled by appointment through competitive exami-In the city of Boston, recently, a number of positions which had heretofore been under civil service law, were removed from it by an ordinance creating separate departments of these bureaus, each with its separate head. The Massachusetts Civil Service Reform Association has been interested in securing a law which will allow such heads of departments, to be put under civil service rules, as the Civil Service Commission, with the approval of the Governor and Council, may deem expedient. Assuming that the Governor and Council would act wisely, and select only such heads of departments as were suitable, such a law should receive the approbation of civil service reformers.

One objection to applying the civil service rules in the customary way is that it would keep in office, until removed by some future executive, many unfit and incompetent persons. This difficulty can be met by requiring an examination of any official not having entered through competition, at the suggestion of his incompetency to the civil service commission. In Cambridge, Massachusetts, ex-Mayor Daly did this through an examination conducted at his request. The result was most satisfactory. The removal which followed caused no misunderstanding or criticism. The need of it was proved.

Just who should make this suggestion is a question. The mayor or city council is proposed, or a reasonable number of voters under proper safeguards. In case of a city civil service commission it might be well to have the examination certified to as suitable by the state commission. In Massachusetts this latter difficulty would not have to be met, as the state commission conducts examinations for all municipal service within the Commonwealth.

If the plan of taking higher municipal offices out of politics proves a success in one or two States, we can then go to our fellow citizens in other States which have no civil service law, with a larger program, inspiring grander hopes.

The whole subject, however, on its broader scale, is so large a one, it is so recently that it has been considered as more than a speculative question, it is so easy to think of heads of departments to which it would be doubtful if the system could be well extended, it requires so much study of the various city charters, to distinguish just how far it should be applied, and just what charter amendments would first have to be made, that, while the idea in general commends itself as one of the most hopeful measures of public interest in either municipal or civil service reform, yet the committee feels that it is not prepared to make final conclusions, and therefore recommends that this present report be taken as only a preliminary one, and that either this committee be continued with power to add to its numbers, to investigate further

and report, or else that a new committee for this purpose be appointed.

Respectfully submitted,

NELSON S. SPENCER, RICHARD H. DANA, SILAS W. BURT, HORACE E. DEMING, CLINTON ROGERS WOODRUFF.

DISCUSSION.

Hon. Henry F. Greene:

I am not very well qualified to speak on this question on account of the limitations of my experience. My experience was entirely confined to the city of Duluth, a place with a population of probably sixty thousand or a little under. In Duluth, I think it would have been advantageous to appoint a large number of the higher municipal officers by means of a competitive examination. Some could not have been so appointed. It would not have been practicable to appoint the chief financial officers of the city, the comptroller and treasurer, by examination, and the people would not have submitted to such a measure. But others could, with advantage, have been so selected, such as the city clerk, the city engineer, and possibly the city attorney.

Mr. Richard H. Dana:

In the city of Boston, when the charter was last revised, the Sewer Department, Street Department, Paving Department and Street Cleaning Department were all put under one superintendent, with a greatly increased salary, so as to secure the services of a high class engineer of large information and experience. Such an engineer was selected by the reform executive then at City Hall.

With various changes of mayors, however, various changes took place, until, finally, a ward "boss", without business training or experience, and whose qualification as an engineer was in engineering the voters of his dis-

trict, was appointed. Even he has been removed under the present mayor; but the superintendent put in his place is none other than the mayor's campaign manager, Mr. James H. Doyle, who, in the words of City Affairs, the organ of the Boston Good Government Association, was "formerly expelled from the Legislature for fraud in his election, an ex-Alderman who voted for many notorious 'grab' loan orders, and a saloon keeper."

The Fenway scandals, showing a waste of \$500,000.00, and no good accomplished, even by the more recent work, are some of the practical results. The accounts of this office are so managed that the experts of the Good Government Association could not ascertain how things The city engineer has said that he has found it impossible to ascertain how much street or sewer work costs the government, which information he wished to ascertain for the purpose of future estimates.

Under the commission appointed to consider the advisability of constructing a dam at the mouth of the Charles River basin, eminent engineers estimated the various kinds of work to be done. All that has been done by the state commission, which was appointed to carry out the recommendations of this advisory board, has been done within the estimates; but all that has been done by the city has exceeded those estimates by upwards

of 50 per cent.

In the Fenway sewer contract, there were no competitive bids, but the work was given to contractors who were mostly relatives of the politicians at the City Hall. The prices paid for stone, cement and labor were all too high, and many men were employed, for political reasons, with the contractor, often doing little or no work, but making no difference to the contractor, as he received a profit on everyone employed.

The present state commission in charge of the contracts for the dam has reported that the sewer work accomplished by the city, as part of the whole scheme, has been done so badly that they do not dare to close the Great amounts of sewage come out where no sewage is supposed to run.

All this happens under the gilded dome of the Capitol

of the old Commonwealth of Massachusetts.

The humorous outcome of the present state of affairs is illustrated when James Donovan, appointed to take charge of the sewers as part of the duties of the Superintendent of Streets, in order to avoid responsibility for a very badly drawn contract which he approved, takes the position that he knew nothing about sewer work, and when District Attorney Moran, in his finding regarding this particular Fenway contract, says: "The Fenway work was divided into several sections. James Donovan had no experience in such work. He had no such training as would qualify him to take charge of such work."

So this one contract, admittedly drawn so as to permit an overcharge of \$28,000.00, nobody is responsible for! The Superintendent of Streets says he is not qualified to draw or pass upon such a contract, and the contractor claims that the large profits were forced upon him by the city!

Hon. Everett P. Wheeler:

History repeats itself. The story which has just been related by Mr. Dana is the same as that of William M. Tweed in New York, and if we can believe what we read in the papers, it has also been duplicated in Harrisburg, Pa. Tweed died in jail, his associates were driven into exile, some of their plunder was recovered by the city, and we have never had a similar state of affairs since then in New York. Our Civil Service Reform Association there has never lost the sense of the necessity for their work. Without it the whole fabric of municipal government would rot. We may justly say that we here, and those who are in sympathy with us, are fighting for the existence of our country's institutions.

Address.

BY DANIEL C. GILMAN, LL.D.

The members of the National Civil Service Reform League have assembled with pleasure in this historic town; and they are especially glad to hold a meeting in a hall which perpetuates the name and brings to mind the personality of one of the most influential men in the last generation, who upheld, at all times and in all places, the principles which underlie the maintenance of civil liberty and the progress of political welfare. He had the satisfaction of seeing many of those whom he had instructed called to positions on the Supreme Bench, in the Cabinet, and in the Senate of the nation,—and to corresponding places among the several states of the Union,—while the list of his former pupils who were brought into diplomatic service is doubtless the fruit of lessons on International Law which he inculcated and which found expression in his well-known text-book. His influence is still felt in the personality of those who are directing the affairs of Yale University and of those who are going hence to engage in political life.

It is with unfeigned diffidence that I stand up in this hall which commemorates the honored name of one from whom I learned, more than fifty years ago, the principles of political science and the elements of International Law. Many delightful memories are here awakened. The old brick row has disappeared, the Library has twice burst from the limits of what was then a most impressive building, every one of the staff of instructors has gone, excepting President Dwight, who will always be known as the younger; but, as Mr. Webster said at Bunker Hill, the same sky is indeed over our heads, and the same water rolls at our feet; more than all, the same spirit

pervades the New Haven atmosphere,—the spirit of Roger Sherman, of James Hillhouse and of Theodore

Dwight Woolsev.

Meeting to-day in these academic shades where thousands of young men, from every part of the country, are preparing themselves for leadership in public affairs, I have been asked to recall the origin of Civil Service Reform in the United States and to point out some of the lessons suggested by our experience. Those who have attended previous meetings of the League are well aware that such reminiscences have often been brought forward, and I am in danger of repeating the substance of what I have said before, though not in this place. Never mind. A good story, a good poem and a good sermon are worth repeating, and a good example cannot be too frequently brought to remembrance.

We are engaged (sub-consciously perhaps), in celebrating the twenty-fifth anniversary of the formation of this League. But there were reformers before the Reformation, and separate states before there were United States, and so there were associations advocating the improvement of the civil service several years before this League was organized; and as the fathers of the Republic discovered that in union there was strength, so we found out that our principles might be diffused more widely and with stronger emphasis by united than by

isolated actions. Let me therefore remind the seniors who are present of a chapter in Genesis, with which they

are familiar; and acquaint the juniors with facts which they ought to know.

On the eleventh of August, 1881, there was assembled in Newport, Rhode Island, what was called "a private and informal conference" of the friends of Civil Service Reform, in the belief that an interchange of views as to measures and methods might do much to promote the movement, as they said, now happily so well advanced. After the conference had been opened by Mr. Everett P. Wheeler, Mr. George William Curtis of New York, that gifted and persuasive orator, was chosen to preside. Sixty-two gentlemen were present, representing thirteen Associations, and among the number were several who

still attend these annual assemblies with undiminished interest and enthusiasm. Bonaparte, Dana, Wheeler, Burt and Talcott Williams are still with us. But not all can answer to the roll call. Curtis is gone and so are Dorman B. Eaton, Henry Hitchcock and Roger Wolcott, and now at last, Carl Schurz to whose memory this week is consecrated. Their places will always be vacant, but the ranks are just as full and the energy just as great as when they participated in the work, in the autumn of 1881, at the formation of the League.

A perusal of the minutes of that conference in Newport brings out the interesting fact that the principles which we advocate this day were then as clearly recognized by the limited circle who participated in the meeting, as they are now by the vast number of those, in every part of the country, who are associated for their maintenance. At the close of the conference, Mr. Curtis uttered these prophetic words:—"We have laid our hands on the barbaric palace of patronage, and begun to write on its walls, 'Mene, mene!' Nor, I believe, will the work end till they are laid in the dust."

The address of Mr. Curtis at the annual meeting in 1882 gave a very interesting survey of the actual condition of the reform. His speech is a milestone from which we may measure the successive stages which led up to the introduction and passage of the Pendleton bill. It included a tribute to the memory of Thomas Allen Jenckes, once a member of Congress from Rhode Island and the pioneer of reform. "In the very darkness before the dawn," said Mr. Curtis, "his voice was heard as confident and cheerful as our voices now when the sun is rising."

So distinguished a lawyer, so wise a statesman, so successful a reformer deserves perpetual personal remembrance, and his report to the House of Representatives on Civil Service Reform dated May 14, 1868, reviewing the experience of the world, may be regarded as a sort of Magna Charta. The victory of Runnymede, as you may remember, was not a spontaneous decree of the crown, but a demand of the people for reform. So it was with the appeal of Mr. Jenckes.

Let me tell you what Mr. Curtis said of him:—Mr. Ienckes "drew the amendment to the appropriation bill of 1871, which became law by the efficient aid of Mr. Dawes of Massachusetts and Mr. Armstrong of Pennsylvania, and under which the Civil Service Commission was appointed. He placed at its disposition all his correspondence with the English Commission, and by his experience, thorough knowledge, fertility of resource and suggestion, and great legal ability, he continued to serve with as much efficiency as modesty the cause to which he was devoted. . . . It was hardly thought worth while to denounce him, but the angry insolence of the spoils system now shows its consciousness that the battle has begun in earnest. It has begun," continued Mr. Curtis, "the battle between the most dangerous abuses of administration and the patriotic good sense of the country. Gentlemen, there is no more doubt of the issue than there is of the justice of our cause."

These men and their colleagues were honorable men, all honorable men, but three of them made a very strong impression upon the members of the League by the force of their character, the good sense of their suggestions, and the unfailing determination with which they advocated their ideals. Among our countrymen, Mr. Curtis was perhaps the most graceful and persuasive speaker of his generation, and I am not sure that he was surpassed in these qualities by Mr. Bright or Mr. Gladstone. His fine appearance, his charming voice, his combination of grace and force gave him that recognized ascendency which was never more manifest than it was when he presided over our deliberations in Baltimore, not long before his death. Compared with men in public life he showed a mastery of literary form quite unusual, but he was not emotional nor fanciful nor sensational. blade which he wielded would pierce the joints in the armor of his opponent and it was always handled with dexterity and strength. His humor was very subtle, very telling, and the cheerfulness with which he entered into every debate gave courage and hope to all his associates. These you may regard as minor qualities. It was his clear insight, his vigorous thought, his unselfish patriotism that gave him ascendency in all our councils.

Mr. Roosevelt said of him: "One of the great merits of Mr. Curtis' constant speeches and writings upon the subject, was the fact that he never lost sight of its moral, or of its ethical, significance; that he did not merely discuss it from the material side, as being calculated to promote a material improvement in our service. What Mr. Curtis sought, was to do away with the spoils system: to do away with what was, perhaps, the most potent of the forces tending to degrade American public life." Again said the same high authority:

". . . Any man who came in contact with Mr. Curtis must have been impressed, more profoundly than with anything else, by the serene purity and goodness of his character. I have used the adjective 'serene'; it is a beautiful adjective, and it is the only adjective I know of which is sufficiently beautiful to describe his beautiful character—his serene high mindedness, his purity, his

gentleness, his constancy in courage."

Dorman B. Eaton was a man of very different makeup. He fought with heavy weapons. If he had lived in the days of the Saracenic invasion, he might well have received the epithet which was given to a king of France, Charles Martel,—Charles the Hammer,—so weighty were the blows with which he struck his adversary. His weapons were verbal blows indeed, but a thug in New York endeavored to silence him by physical blows which rendered him prostrate, as Sumner was prostrated in the Senate, for many weary days. He may, therefore, be remembered as a protomartyr in the cause for which Garfield, who fell at the hand of Guiteau, was an illustrious martyr.

Mr. Eaton's book on the History of Civil Service Reform in England is still a standard work of reference to be commended to all who would become acquainted with the experience of the mother country and with the general acceptance of the ideas that we are upholding. To him should be ascribed the credit of drafting the Pendleton bill which became a law in 1883, and it was most suitable that he should be one of the United States Civil Service Commissioners from 1873 until 1886, by the successive appointments of Presidents Grant, Arthur and Cleveland.

At a later hour this evening the League will be asked to give expression to the loss they have sustained by the recent death of Carl Schurz, but I will venture to anticipate what will then be said by a few words of appreciation.

To us, advocates of Civil Service Reform, he was foremost among our leaders, the peer of Curtis, Eaton, Godkin and others who have gone over to the majority. We depended upon his counsel and his inspiration and we were never disappointed. We mourn the death of this veteran reformer and we cherish his memory as that of one of the most enlightened, the most unselfish, the most influential of that great company of patriotic citizens who, during the last twenty-five years, have consecrated their political efforts upon the reform of the Civil Service and the upholding, irrespective of party ties, of those principles of popular government upon which the welfare and the progress of our country depend.

Mr. Schurz, in the latest printed chapter of his Reminiscences, records the impressions derived from his first visit to Washington. After a talk with Senator Broadhead, he says, "I met Mr. Francis Grund, the 'veteran journalist,' whose acquaintance I had made in the meantime. I asked him what Senator Broadhead might have meant when he said that he did not take so much interest in measures and policies as in the management of men. 'Bless your innocent soul!' exclaimed Mr. Grund, with a hearty laugh, 'he meant that he does not care whether his party leads him this way or that way, but that his main business is to get post-offices and Government clerkships and consulates and Indian agencies for the party hacks and his personal hangers-on. And he must keep on good terms with the administration to get those

"The spoils system," Mr. Schurz continues, "was in full flower, but had not yet brought forth its worst fruit as we now know it. In some respects, the state of public sentiment created by it was indeed worse than that which we now witness. The cool indifference, for instance, with which the matter of 'pickings' was spoken of among politicians, even of the better sort, would not now

things."

be tolerated for a moment. The public mind has become much more sensitive to the character of such abuses. Neither was there any active-opposition to the spoils system in general. A few of the older members of the Senate and of the House of Representatives would indeed occasionally express their disgust, and their misgivings as to the dangerous influences exercised by it; but, notwithstanding the criticism now and then called forth by the more scandalous excrescences of the system, it was on the whole accepted as a permanent thing which in this country could not be otherwise, and attempt to change which would be utterly vain. But it had at that period not yet evolved the 'boss' and the 'machine,' those perfect agencies of party despotism, as we now know themalthough a sinister beginning in that direction was already made in the State of New York, where unscrupulous leadership found the most and the fittest material for a. mercenary following, and where selfish personal politics had the most promising field of operation."

Sargent has just painted a portrait of the four leaders in the medical arts and sciences who have been associated with the Johns Hopkins University,—Welch, Osler, Halsted and Kelly. I wish it were possible to secure from him, for a place in the National Capitol, a companion picture, where Jenckes, Curtis, Eaton, and Schurz should stand shoulder to shoulder as they stood in the promo-

tion of Civil Service Reform.

The examples of our departed colleagues should assure us that it is quite worth while, even "in practical politics," to strive after ideals without being miffed by ridicule, or daunted by opposition or dismayed by defeat. It took a dozen years of effort to secure the passage of the British Reform bill in 1832,—a measure full of unmistakeable advantages to the country. Yet even when this bill, the third that had been proposed, became a law, Spencer Walpole tells us that "King and Queen sat sullenly apart in their palace. Peer and country gentlemen moodily awaited the ruin of their country and the destruction of their property. Fanaticism still raved at the wickedness of a people; the people, clamoring for work, still succumbed before the mysterious disease which was

continually claiming more and more victims. But the nation cared not for the sullenness of the court, the forebodings of the landed classes, the ravings of the pulpit, or even the mysterious operations of a new plague. The deep gloom which had overshadowed the land had been relieved by one single ray. The victory had been won."

A British statesman, having enumerated the great items of political progress during the Christian era, reminds his readers that it is often desirable in politics to form an ideal model of perfection in the hope, not of attaining, but of approximating it. These are the words of George Cornewall Lewis, a thoughtful English writer of the last generation:—"It is by forming to ourselves ideal models, not immediately attainable in practice, but admitting a closer and closer approximation by repeated efforts, that man civilizes himself, that society is made progressive, that ameliorations in political institutions and political states are effected. If man could not frame to himself an ideal, as distinguished from an actual standard of conduct, he could never advance beyond the most civilized portion of his species. It is upon purely ideal models that the practical models of action, when any real improvement and advance in civilization is effected, are for the most part framed. The purely ideal model is modified, fitted, and pared down, until it is brought within the exigencies of the practical case."

In a period of combat, there are great encouragements in historical studies, especially of periods of political progress,-such, for example, as that familiar story of the perplexities which involved, like a net work, the formation of the American Union, from the time when the four colonies of New England endeavored to pull together down to the time when the Constitution of the United States was developed from the ashes of the Confederation; as, for another example, the struggles of France in substituting for the monarchical form of government a republic; or the discussion in Parliament already alluded to which introduced the great Reform bill of

1832.

The story of English victories in this domain as told by Mr. Dorman B. Eaton may well be a rade mecum of all who are enlisted in our cause. His pages are full of timely lessons;—as an example, let me quote one pas-

sage:-

"Stated in general terms, the great and primary source of the evils in the British Civil Service, in 1853, was executive patronage in the hands of members of Parliament, and the obstruction it naturally caused in the way of bringing in and promoting merit and of carrying on the administration economically and efficiently. Questions upon the enactment of laws were continually complicated by questions of Parliamentary patronage. Members were indisposed to cut down salaries, or reduce members, or abolish offices, or repeal laws, when their own favorities might be those prejudiced by the change. The men it was for their interest to foist upon the service were not unfrequently persons very unfit to discharge the duties. There were many more persons whom members wished to oblige than there were vacant places in the Treasury.

"Such were the evils which the British Government set about removing in 1853. How they compare with those in our service is too obvious for remark. In one particular—that of patronage in the hands of members of the Legislature—the analogy is very close, though in consequence of our short terms for so many officers and of our making promotions and removals for political

reasons, that evil in our service is vastly greater.'

Next consider the progress recently made in the defense and extension of our merit system. To begin, place aux dames, let us congratulate one another on the excellent work of the women's auxiliaries in Massachusetts, New York, Maryland and elsewhere. My attention has been especially called to what has been done in the Old Bay State and to the admirable series of leaflets set forth and distributed by the Woman's Auxiliary of Massachusetts. Its principal offices are in Boston, but the members are not restricted to those who dwell within sight of the Golden Dome. Among the publications which it distributes are papers by our colleagues Vaughan, Cary, Dana, Woodruff, and Foulke, a capital outline for the study of the merit system, prepared by Mrs. Rice for the Worcester branch, a Bibliography by the New York Auxiliary, and a very good Syllabus for the study of the Reform by Miss Salmon of Vassar College, originally published by the Federation of Women's Clubs in Massachusetts. These are all attractively printed and they are well adapted to national circulation. Such co-operation in the diffusion of knowledge and in the commendation of sound principles cannot be too highly appreciated by the League, and the formation of similar auxiliaries

in every part of the country is most desirable.

The United States Civil Service Commission continues to maintain the high standard of efficiency which was shown in its earliest days. Mr. Cooley, who has been one of the most serviceable members of the Board, has been transferred to another department of the Government,—an honorable distinction that makes our loss the more apparent. He has given me in the most obliging manner a summary of the progress of the reform from his point of view and his letter is so full of interesting details that it gives me both embarrassment and pleasure. I might substitute it for the remarks which I am making, but instead of that, I shall ask leave, if time permits, to read it at a subsequent meeting.

The most significant fact is this:—that the whole number of competitive positions is now 182,126. Since 1883 more than a million persons have been examined, three-fourths of whom passed the requirements and nearly 270,000 received appointments. Contrast these figures with those at the end of Arthur's administration when only 15,500 places in the civil service were subject to

rules.

Of those who were thus appointed last year, twofifths were persons employed in mechanical trades; nearly one-half were persons employed in clerical and subclerical positions, watchmen, messengers and rural carriers; three per cent. were professional, scientific and technical employees and nine per cent. were skilled laborers, other than those employed in trades.

The latest report of the Commission that has been published (the twenty-second), shows what excellent progress is making by the introduction of the competitive system in states and cities. The most recent reform action includes the passage of a Civil Service Law in Wisconsin; in Illinois an extension of the merit system to all state charitable institutions, including about nineteen hundred employees; in Michigan a system of examinations has been introduced by the State Board of Health; in New Jersey the police and fire departments of cities of the first-class are brought under Civil Service regulations. There are indications of the spread of a desire for civil service regulations, although all the efforts have not succeeded. Existing provisions in the various states and cities are enumerated in this report of the Commission. This chapter is, on the whole, inspiring, but there is so much detail that I can only refer

The Commission regards the policy of the Post Office Department, inaugurated in April, 1905, which provides for the retention of fourth-class postmasters during satisfactory service, as "distinctly the most important administrative reform effected within the past year. fourth-class postmasters constitute the largest class of employees selected without examination of any kind. For many years these positions have been treated as political spoils and appointments made to them with slight regard

to the best interests of the service."

The vigorous utterance of the Postmaster General in an address which he delivered to the National League of Postmasters of Fourth-Class Offices contains these ring-

ing words:—
"The postal service should be a business institution. It cannot be made such if other considerations than merit govern in the discipline of its force. Postmasters hold a peculiarly important relation to the communities in which they live. They are direct representatives of the Department. Their service reflects credit or discredit upon it. They should serve the interests of all the people in their communities without regard to political, social or business affiliations. This does not mean that they are divested of their rights as citizens. They would be unfit for their positions if they did not take a proper interest in public affairs; but to take a proper interest in public affairs as a matter of course bars them from participation in factional differences or any other political action that would bring discredit upon the service or show a lack

of appreciation of their relation to it."

When the Philippine and other islands came into the possession of the United States grave apprehensions were felt by many patriotic persons lest these outlying regions should become the prey of adventurous office seekers. So sang the pessimists. The optimists, on the contrary, were encouraged by the experience of Great Britain which taught us that the excellent results accomplished in the far Orient reacted at home and that Civil Service Reform was quickened by an observation of its results at a distance. We have the like reason for rejoicing that the conduct of our affairs in the Philippines has been fruitful of good. Years ago, that excellent review of the Colonial Civil Service in England, Holland and France, by our associate. Professor A. Lawrence Lowell, was full of encouragement and instruction, and now the public utterances of Secretary Taft and others of the highest representatives of the United States in our distant possessions show that hope has become reality. Porto Rico has already come into line, and Hawaii leaves not much to be desired.

Considering the clamor for official appointment, I am rather surprised to notice that the Civil Service Commissioners regret that the public service presents such slight attractions to ambitious and well educated young "All of the higher positions are outside of the competitive classified service, and no system has been established by which those who have distinguished themselves in the service can be promoted to the more important offices and at the same time enjoy reasonable security of tenure. There is not sufficient inducement for the most capable men to enter the examinations, as they can do better by seeking employment in large corporations, trusts and other institutions, where they can in time command much higher salaries than they can ever hope to secure in the Government service." While this may be regretted we must remember that this state of things is not without its parallel in other walks of life, and in other countries. There are certain minds contented, all their lives long, with routine. Indeed they prefer it. So long as they are secure in their position and income, they care not for the increased anxiety and re-

sponsibilities of higher station.

The most gratifying of all the advances recently made is the extension of the merit system to the consular service of the National Government and to Secretaries of Embassies and Legations. Just a year ago, on the authority of the President of the United States, the Secretary of State issued an order appointing a Board of Examiners which should certify to the Department of State the qualifications of those persons who desired to become secretaries of Embassies and Legations. The subjects to which the examination shall relate are these:—

International law, diplomatic usage and modern languages. Familiarity with at least one foreign language will be required. This language may be either the language spoken in the country in which the Embassy or Leaves in the country in which the Embassy or Leaves in the country in which the Embassy or Leaves in the country in which the Embassy or Leaves in the country in which the Embassy or Leaves in the country in which the Embassy or Leaves in the country in which the Embassy or Leaves in the country in which the Embassy or Leaves in the country in the

gation is located, or French.

A few months later Secretary Root presented to the President a draft of the executive order "designed to extend the system commonly called the Merit System of the civil service to the consular branch of the service."

In explanation of the draft the Secretary wrote

as follows:

"The main features of the order were embodied in the early forms of the consular reorganization bill passed at this session of Congress, but they were dropped out largely for the reason that their enactment by Congress would appear to be an infringement upon the President's Constitutional power to appoint consuls. Your adoption of these rules by Executive order will be free from that objection, and, judging from the very positive commendation which many members of both Houses have expressed for the proposed change in the method of appointing consuls, I do not doubt that the new system will receive the hearty approval of the Senate and Congress whenever occasion may arise for an expression upon the subject.

"The principle of the new rules was heartily approved

by a very representative convention held in Washington last winter, composed of leading business men from all parts of the country; and both the principle and the practical adaptability of the rules have been subjected to careful consideration by a Board of five of the most able and experienced officers in the consular service, convened in Washington on the 4th of this month for the purpose of advising upon the application of the new reorganization act to the service. That act by its terms is to take effect on the 30th day of June, and it is desirable that the new rules take effect at the same time."

The President at once issued an order, (June 27, 1906,) appointing a Board of Examiners for admission to the consular service, consisting of the Secretary of State or a subordinate officer from the Department, the Chief of the Consular Bureau, and the Chief Examiner of the Civil Service Commission or his representative.

He directed that the scope and method of the examinations be determined by the Board of Examiners, but among the subjects must be included at least one modern language other than English; the natural, industrial and commercial resources and the commerce of the United States, especially with reference to the possibilities of increasing and extending the trade of the United States with foreign countries; political economy; elements of international, commercial and maritime law. Still later a special order has been issued for the selection by merit of student interpreters in China.

As it is now generally admitted that the Merit System works well in the administration of the National Government, it is quite time to advocate, vigorously and systematically, its extension to states and municipalities. Much has been done in this way; much remains undone. The methods are easily introduced, especially in educational departments and in public and private boards of charity, and they are equally important in every organization where "Pull" and "Push" have hitherto been clamoring for control. Mr. James C. Carter, a few years ago, was so bold as to suggest that attention to municipal affairs is vastly more important in immediate results than any attention to National politics. It is commonly safe to fol-

low this eminent lawyer, and we can certainly agree with him that "the moment unscrupulous men get possession of municipal affairs and turn them to their own purposes, your schools begin to suffer degradation, the pavement of your streets is affected, the cleanness of your city is gone, your police come into alliance with crime and you are threatened with every sort of danger; and there is no form of social or political life in which you do not in-

stantly feel the result."

Among the records of reforms in the public service. some greater and some less, secured in the separate states, none has come under my eye so vivid, so comprehensive, so inspiring as the story of Pennsylvania told by our associate, Hon. Wayne MacVeagh, in a recent number of the North American Review. This success of young men. acting as if they were trained veterans in politics, is "so astonishing," says Mr. MacVeagh, "as to be almost incredible." He enumerates many gains, but perhaps, from our point of view, the most significant is the act which applied "true, practical, sensible, civil service methods to all appointments to subordinate offices in Pittsburg and Philadelphia." Subordinate employees in those great cities, says our colleague, are now lifted out of their depraving servitude to political masters and placed among self-respecting servants of the public, with an assured tenure of office during good behavior.

Is it not time for the League to urge upon the authorities of our universities and colleges to provide every year for the presentation of the Merit System to the students under their guidance, by addresses, lectures and discussions and perhaps by the offer of prizes for essays to be written by undergraduates and law students? As the welfare of the country depends upon its youth, opportunities should be sought for to awaken and inform those who are soon to be the leaders of public opinion. Such a movement was initiated several years ago by President Woolsey, Mr. Curtis and others of the faithful,—but their plans were not quite matured when they were interrupted by the passage of the Pendleton Bill. This seemed at that time such a victory that further agitation was needless.

To college students of the present day-and not to

them only,-I would particularly commend a well considered and comprehensive review of the history of the National Civil Service from the days of Washington to those of McKinley,—a volume by Professor Carl Fish. of Wisconsin, entitled "The Civil Service and the Patronage,"—the outgrowth of studies of American History and Institutions begun in the Seminary of Harvard University. It is full of valuable facts and wise comments upon these facts and is especially full upon the growth of the Spoils System and of the beginnings of the reform thirty years ago. One of the author's concluding remarks is worth quoting at this time: "An element of strength," says Mr. Fish, "has been the publicity and candor which has characterized the reform movement from its initia-The reformers have proceeded straightforwardly in the belief that, if the people saw what the system they proposed was, and how it worked, they would support it. By that truly democratic method they have taken the sting out of the gibes directed at the system as aristocratic, and have demonstrated that what the people can see and touch and find good they will have."

I trust that you have found the narrative to which your attention has now been directed exhilarating, but it can hardly be called entertaining. Our work is serious, although, if "sunbeams can be extracted from cucumbers," we may expect from the gifted speaker who is to follow me, touches of sarcasm or satire which will provoke a smile. To make a break, I am prompted to read you a page from "Coniston," the extraordinary novel which stood first, last summer, in all the published lists of popular books from Boston to the far west. may remember that the novelist of New Hampshire portrays the development of a party boss. Jethro Bass was not a bad man, not bad certainly in a Miltonic sense. He was not dressed in a scarlet robe nor could horns and hoofs be detected on his person. He was fond of Cynthia his ward, he did not drink, and we have no record that he played at stakes; he was modest and he kept faith with his followers. But he ruled from No. 7, in the Pelican House of the capital, familiarly known as the "Throne Room," with a monarch's power. "In

this historic cabinet there were five chairs, a marbletopped table, a pitcher of iced water, a bureau, a box of cigars, and a Bible, a chandelier with all the gas jets burning, and a bed, whereon sat such dignitaries as obtained an audience,—railroad presidents, Governors and ex-Governors and prospective Governors, the Speaker, the President of the Senate, Bijah Bexby, Peleg Hartington, mighty chiefs from the North Country, and lieutenants from other parts of the State. These sat on the bed by preference. Jethro sat in a chair by the window, and never took any part in the discussions that raged, but listened. Generally there was some one seated beside him who talked persistently in his ear; as at present, for instance, Mr. Chauncey Weed, Chairman of the Committee on Corporations of the House, who took the additional precaution of putting his hand to his mouth when he spoke."

Such is the portrait drawn by Churchill of the Engineer of the Machine. There may be those among us who have seen the like of him. I cannot say. But the effects of such rule by a strong man, the power behind the power of popular sovereignty, have been seen and felt by us all. The adoption of the merit system means the downfall of the boss, for when there are no rewards for

unworthy service there will be no scramblers.

My brief survey is concluded. Let us see what it has included.

The recent progress of the Merit System shows its firm establishment in the national administration, its introduction in our island possessions, its extension in the Post Office Department, its approval in many states and municipalities, its advocacy by wise and enthusiastic leaders far and wide through the country. In view of such gains we have every reason for hope and courage,—but the hydra of selfishness has many heads, and the suppression of one form of machinery in politics does not mean security for good government. We must continue watchful as well as hopeful,—that the great experiment of government by the people may not perish nor be enfeebled in our day.

Resolutions of the National Civil Service Reform League in memory of the late Carl Schurz, President of the League from 1893 to 1900.

(ADOLTED AT THE ANNUAL MEETING OF THE LEAGUE IN NEW HAVEN, CONN., SECOND SESSION, MONDAY EVENING, NOVEMBER 19, AT WOOLSEY HALL.)

The patriotism of Carl Schurz was so deep and broad and energetic that it could not fail to find effective expression in the espousal and brilliant advocacy of many causes which appealed, in his time, to the sentiment of good citizenship. It is our duty and pleasure, however, to record here especially our recognition of, and gratitude for, his great and exceptional service to the cause of the reform of the civil service. Not only did he show, in high executive office, the possibilities and advantages of the merit system; but as a private citizen he was one of its most convinced and most convincing advocates, so that on the death of George William Curtis he was deemed the natural successor of that noble citizen as standard bearer of the Reform.

His immediate associates in the work of extending and fortifying the merit system desire not only to express their high estimate of the value of his work in this important field, but also their warm regard and admiration for his personality and character. While genial, tactful, and kindly, he was firm in principle and persistent in purpose. Unrelenting in his attack upon fraud and corruption; reluctant in the criticism of honest opponents; always he upheld, with indomitable courage and with singular and never-abating fire the noblest standards.

To him citizenship was a religion, and patriotism a never-dying passion,—a patriotism that would purify and sustain the nation for the benefit not only of its own people but for all the peoples of the earth. He will be greatly missed, but his example and his ideals will re-

main a national possession forever.

Address.

HON. CHARLES J. BONAPARTE, SECRETARY OF THE NAVY.

Sometime since I received a visit from a gentleman who requested permission to ask me a number of questions, more or less personal in character, the answers being intended for publication by some kind of "syndicate" or "trust" of newspapers, when they should suffer from a dearth of more readable matter. Among the questions was one, so far as I can remember, in the terms following:

You have been identified in the past with the agitation for civil service reform; how have your opinions changed on this subject since you have held an important

public office? I replied, in substance:

My opinions on this subject have so far changed that I now believe with even greater assurance than previously the practical application to public business of the principles of civil service reform is indispensable to the continued existence of our form of government, and further believe that, without it, the orderly and efficient administration of the Navy Department, with such a navy as we have to-day, would be altogether impossible.

How far this answer met the views of my interlocutor and of his principals I do not know; but his question has suggested to my mind that there may be some curiosity on the part of some of my hearers this evening, as to what I may think, as a result of my official experience, should be the practical and immediate aims of the League, with a view to the improvement of the Federal civil service; if such curiosity exists, I will endeavor to gratify it.

In the first place, we should all try to strengthen the Federal Commission by securing more nearly adequate compensation for its members and one or two, at least, among their principal subordinates. The duties of the Civil Service Commission are exceedingly responsible and delicate; to discharge them properly it is not enough that the commissioners should be men of integrity and good intentions; they must be also men of sound judgment, tact, industry, resolution and reasonable experience. One of them, a man of exceptional merit, has just left the commission to become an Assistant Attorney General; possibly, for reasons of his own, he would have preferred his new post of duty, even if the compensation had been no greater; but it is obviously unfair to the service and to all the vital interests advanced by its efficiency to have the salary of a commissioner only seventy percentum of that received by a far from overpaid subordinate of the Department of Justice. This condition of things causes the commission to be looked on as essentially a stepping stone to something better, and when we remember that its duties are, in a large measure, quasi judicial in nature, it seems evident that this view of its character is open to rather serious objection.

In the next place, we should all try to open up, not to the average, but to the exceptionally meritorious, civil servant of the Government a fair prospect of promotion within the Government service. When the department clerkships were filled by the poor relatives or needy friends or dependents in one form or another of influential politicians, there was no great danger of their being tempted by offers of advancement in private employ, for, in a large proportion of such cases, they had been put in public employ just because no private employer would take, or at least keep, them. Such men and women were content to remain in the public service because they had nowhere else to go; but when we began to fill the service from those at the very head of a long list of eligibles, made out as the result of a fair competition, when his employment by the Government showed a man to be presumtively intelligent, industrious and sober, instead of presumptively a failure, then the service began very soon to suffer from the inroads of private employers. Now the young men who are certified stay with us long

enough to study law or medicine or some other profession or to find good places as bookkeepers or stenographers in large private establishments; then they leave us, and we resume the grateful labor of educating competent subordinates to replace them in those private establishments, as they receive there the advancement which the Government could, but won't give them in its own service. A great deal of fuss has been made about the superannuation of public servants, a matter, according to my observation, of altogether minor consequence, and, so far as it is or may become an evil, open to complete remedy by the mere discharge of their full duty on the part of responsible superiors; the want of fixity in the service, however, a practical evil, to say the least, ten-fold as serious, and for which a cure is far less readily found, is hardly mentioned either in Congress or by the

In the Navy Department this situation would be greatly improved if effect were given by law to a recommendation contained in my last annual report, and which will be repeated in my next, to the effect that a small corps of civilian commissioned officers, having military rank and right of retirement, as the Chaplains, Civil Engineers and Professors of Mathematics have, be recruited from particularly deserving civil employees of the department. In non-military branches of the service an appropriate remedy would be furnished by the abolition of fixed terms for all officials whose positions are in no wise political, and the requirement that such positions when not professional or otherwise peculiar, be filled by promotion.

Another change in the law, of but slight importance in itself, would greatly facilitate the recruiting of the departmental civil service; I mean the modification of that provision of the civil service law which requires certification of eligibles to be distributed among the States and Territories. There were certified to me a short time ago to fill an unimportant clerkship three young ladies residing respectively at Helena, Montana, Houston, Texas, and San Juan, Porto Rico. Since the government does not furnish transportation to the place of employ-

ment, the one accepting the place must have paid out in advance no small percentage of her annual salary to get to Washington; and, while I do not remember what happened in this particular case, in many instances we have met with refusal after refusal, ending in a great deal of correspondence and no employee. I should not advise that the law be changed with respect to positions sufficiently remunerative to induce the distant eligible to take the journey, for in its purpose, the provision is just and salutary; but there is no injustice in giving residents of the District of Columbia and the neighboring states a monopoly of employments which residents of more distant localities do not want and cannot afford to take; if, therefore, only positions paying say \$800 or even \$1,000 per annum were made subject to distribution, no one would have cause for complaint and heads of department would be spared a tedious and useless delay in filling insignificant places.

Finally, I should like to see the privilege of specifying the sex of eligibles in requisitions abridged, and men and women taken without discrimination according to marks. except when both the head of the department and the Commission hold that the duties of the position to be filled can be properly discharged only by a man or a woman, as the case may be. According to my observation, I am not now referring particularly to the Federal service, wherever women can be chosen by favoritism the place will swarm with them (for the most part widows or female orphans), but where the choice must be made for merit they will not get the square deal. I have done what I could to give them a fair field and no favor in matters of promotion, and to encourage their more general employment in the first instance; but one encounters here a prejudice which can be fully overcome, in my judgment, only by positive law.

As a last word, let me strongly advise the National Civil Service Reform League to imitate the French statesman, who, when asked what he had done during the Reign of Terror, replied: "J'ai vecu." One of the most important duties, perhaps I should say the most important duty, which can be fulfilled by the League to the American

people, is to live, to live active, courageous and in good repute; and, with itself, to keep alive public knowledge and public belief that its great work, although happily commenced, is so far from completion that only the united, unselfish, untiring labors of all our best citizens, of whatever politics or party, race, creed or tongue, continued through many administrations and for more than one generation, will crown this work with final and with glorious victory.

The Birth of the Pendleton Bill Twenty-five Years Ago.

HON. EVERETT P. WHEELER.

The passage of the Pendleton Bill marked a new era in American politics, and it is fitting that some record should now be made of the part which the Civil Service

Reform Association took in its preparation.

Many things happened during the decade from 1870 to 1880 to rouse the public conscience of the nation. The enormous expenditure which accompanied the Civil War and the development of railroads and manufactures which were incident to that great struggle, the lavish expenditure which accompanied and followed it, had brought to the front great numbers of men to whom politics was only a gainful trade, who were ready to accept the opportunities afforded by Governmental activity for their private profit. To avail of these opportunities it was necessary to keep their own party in power. As they were making politics a trade, they thought it legitimate to make Government offices and the ballots of the voters part of the merchandise. The shameful abuse of the power of appointment and removal which had sprung up in the administration of Andrew Jackson had not been abated under his successors. Not all the eloquence and political force of Mr. Webster had sufficed to diminish its intensity. To use his own expression in 1832:

"There is no civilized country on earth in which on a change of rulers there is such an inquisition for spoil as we have witnessed in this free republic. When, Sir, did any British Minister, Whig or Tory, ever make such an inquest? When did he ever get down to low-water mark to make an ousting of tide-waiters? When did he ever take away the daily bread of weighers, and gaugers, and measurers? When did he ever go into the villages

to disturb the little post-offices, the mail contracts, and everything else in the remotest degree connected with Government? A British Minister who should do this and should afterwards show his head in a British House of Commons would be received by a universal hiss."

In the delightful "Reminiscences of a Long Life" by Carl Schurz, which is now appearing in *McClure's*, he expresses his own observation of the occupation of Con-

gressmen in 1852.

The evils which Mr. Webster had thus attacked in 1832, and which Mr. Schurz describes twenty years later, had gone on progressively increasing. As part of the trade a system had sprung up of assessing officeholders. This perhaps reached its culmination during the campaign of 1880. Assessments then were openly levied upon officeholders throughout the country in aid of the campaign for Garfield and Arthur. It went so far that a New York Police Justice took a room at the Astor House, took off his coat, sent for all the clerks in the Post Office across the street, and levied a tax on each. The moneys thus accumulated were partly spent in legitimate expenses no doubt, but were also largely expended in bribing voters. Dudley's expression of "marshalling the floaters in blocks of five" described what took place not only in the Indiana election of that year, but in many other states.

The progressive increase of the evils which I have thus briefly pointed out, ran side by side with an increased zeal for reform and a quickened political conscience. Governor Tilden and his associates in New York on the Democratic side of politics, and President Haves and his administration at Washington, had shown that it was possible to administer the Government honestly, and to use the power of appointment for the public good. With Carl Schurz as Secretary of the Interior, and Wayne MacVeagh as Attorney General, an administration could hardly go far astray. In point of fact, President Hayes did establish in the Custom House and Post Office of New York, and Mr. Schurz did establish in the Interior Department, a system of selecting clerks and other employees on the ground of merit only, and refused to make removals except for cause. It was not in vain that the

Rev. George L. Prentiss had made an address which was afterwards published as a pamphlet in 1877, on our "National Bane, or the Dry Rot in American Politics." Dr. Bellows, whose activity not only in the religious work of his own church, but in the Sanitary Commission during the War, should never be forgotten, and many other leading clergymen, had also done their part as prophets of righteousness. It is not surprising, therefore, that a few reformers met in May, 1877, at the house of Mr. Dorman B. Eaton in New York City, to consider the formation of a Civil Service Reform Association. They summoned friends to aid them, and met at what was then known as Municipal Hall, 67 Madison Avenue, New York City, on the 16th of May, 1877. There the first Civil Service Reform Association was formed. Its first President was Dr. Bellows, and Dorman B. Eaton was entrusted with the task of formulating legislation. He had made a study of the reform system in England, had written and published a book upon the subject. He had retired from the active practice of the law, and was eminently qualified, both in heart and intellect, to deal wisely with the growing disease in the body politic.

The abuses to which I have briefly called attention, ending with the election of 1880, stimulated public interest, and the Association was reorganized in December of that year. George William Curtis, a name never to be mentioned without reverence and gratitude, became its President. He had been one of the founders of the Republican party. Perhaps no man in that party had greater influence with its better element. It was thought best on the other hand that a Democrat should be appointed Chairman of the Executive Committee, and I was honored

with that position.

George II. Pendleton, Senator from Ohio, and who shares with John Sherman, the melancholy honor of being the last statesmen to represent that great state in the Senate, had introduced a bill to provide for the reform of the civil service. It should be remembered that the New York Association at that time was really a National Association. It had attracted members from all parts of the country, and may fairly be called the mother of the

many Associations that have since sprung up and done such noble work in the good cause. Thus it came to pass that not only the New York Committee on Legislation set to work on a bill which it should propose to Senator Pendleton as a substitute for his, but it was aided by the counsel and experience of many associates in different parts of the country. Among these especially should be mentioned Wavne MacVeagh and Carl Schurz, who were then in the Cabinet. Dorman B. Eaton drafted the bill, and in the Committee Room, in Municipal Hall, he, Mr. Curtis, Mr. Burt, Orlando B. Potter and myself sat for many evenings revising the work and seeking assistance from all available sources. At an early date we communicated to Senator Pendleton what we were doing, and received from him prompt and generous assurances of his cordial co-operation. We submitted our bill to him. It met with his approval, and was introduced by him January 10, 1881. The new bill was referred to a special Committee. The Civil Service Reform Association had a hearing before that Committee, and the Committee reported in its favor early in the year 1881. But the session ended on the 4th of March, and the bill did not come up for a vote in the Senate.

It should be stated as part of the history of the time, that a bill also drafted by the New York Association, to extend the laws against the levy of political assessments, was introduced in the House by Mr. Willis of Kentucky. Both he and Mr. Pendleton were our cordial supporters and friends during all the Congressional controversies that followed.

President Garfield was inaugurated on the 4th of March, and at once a controversy arose, not as to any great measure of statesmanship, not as to our foreign relations or our tariff policy, but as to who should be appointed to the office of the Collector of the Port of New York. Senator Conkling claimed the right to control that particular piece of patronage. The President thought proper to exercise the power of appointment which the Constitution conferred upon him, and appointed William H. Robertson, in spite of Mr. Conkling's protest. It seems hardly possible that so much bitterness should

have been stirred up within a great party on such a subject, but it was, and Guiteau shared this bitterness to such an extent, that he shot the President in the station at Washington, on the 2nd day of July, 1881. I well remember a cartoon which had a great run at the time, which represented Guiteau as pointing a pistol at the President, with the cry "An office or your life!"

This illustration of the wickedness of the passions that were aroused by the prevailing system of political management made a profound impression upon the public conscience. It led to the assembling of a conference at Newport on the 11th of August, 1881. At this conference, Mr. Curtis, who presided, introduced the follow-

ing resolution, which was adopted:

Resolved, That the bill introduced in the Senate by Mr. Pendleton, of Ohio, provides a constitutional, practicable and effective measure for the remedy of the abuses known as the Spoils System, and that the Associations represented at this conference will use every honorable means, in the press, on the platform, and by petition, to secure its passage by Congress.

It appeared that the Boston Association had taken steps towards the publication in cheap form of 100,000 copies of the Pendleton bill. It was voted to promote the circulation of petitions in support of its passage, and it was also voted to approve the bill introduced by Mr. Willis of Kentucky, on the subject of political assessments. The meeting was most enthusiastic. It was resolved to form a National organization. In a few closing sentences, Mr. Curtis made use of these memorable words:

"We have laid our hands on the barbaric palace of patronage, and begun to write on its walls 'Mene, Mene.' Nor I believe will the work end till they are laid in the dust."

The agitation went on vigorously. Orlando B. Potter in particular, gave the sum of \$2,000, to circulate in a broadside the utterances of Mr. Garfield on the subject of Civil Service Reform. This was printed in a form commemorative, as it were, of the great President, who had meanwhile died at Long Branch.

The Reform propaganda extended to every part of the country. The newspaper press gave it efficient support, and the result was that when Senator Pendleton on the

6th of December, 1881, introduced in the Senate the Civil Service Reform bill, as drawn by the Association, it met with general approval.

Some objections were, however, made to its details, the most important being that it might centralize the administration too much at Washington, and that applicants in the remote states would have no practical opportunity to apply for admission to the service. Legislative Committee of the Association drafted an amendment to the bill to obviate this objection. This required an apportionment of appointments to the public service among the several states and territories, and the District of Columbia. These amendments met with the approval of the Association, and were submitted to Senator Pendleton. They met his entire approval, and were substantially incorporated in the bill as passed. It was amended in the Senate in several details, but the essential features of the draft were embodied in the Act as adopted. Its distinctive features are two fold:

- 1. A Commission was created to have charge of the administration of the civil service of the United States Government.
- 2. Admission to and promotion in this service was to be upon a "basis of merit and competition." The fitness of applicants was to be ascertained by open competitive examination, and all offices should be filled by selection "from among those graded highest as the results of such competitive examinations." Original entrance to the public service should be at the lowest grade. (This particular provision was stricken out in the Senate.)

The making of rules for the administration of the system was wisely left to the President, and the classification of offices which were to come within its scope was also left to him.

The Legislative Committee felt that the system was so great an innovation that it would be unwise to undertake at first to extend it to all branches of the public service. We were well aware that to inaugurate it would be a task of great difficulty, and that if too much were

undertaken at once, the whole system might break down

of its own weight.

Thus the Pendleton bill, as we very justly designate it, came into being. It passed the Senate, it passed the House. A majority of the members of each party voted for it. It was opposed by some of the spoilsmen, who brought forward the hackneyed argument that it would create a permanent tenure of office and that there was something American in the hoggish scramble for spoils which had prevailed since it was introduced by Andrew Jackson. But the true American heart was too wise to be taken in by such trash, and the bill as a whole met the approval of the American people, and was approved by the President January 16, 1883.

Dorman B. Eaton was very properly appointed Chairman of the first Commission. There were some Reformers who thought that his administration was too conservative, but they perhaps overlooked the curious streak of conservatism that runs through the American character, and is constantly mingling with the progressive temper of our people. For one, I must say that in my humble judgment the result has justified the wisdom of Mr. Eaton's general administration of his great and difficult office. We have gone on "conquering and to When the condition of the civil service of the country is contrasted with what it was in 1881, we cannot but feel devoutly thankful to Almighty God for the evident blessing that has attended our labors, and can certainly congratulate the American people that it has as a whole supported the reform against the constant and insidious assaults of selfish and greedy politicians. heart of the public has been right, whatever superficial indications there may have been to the contrary.

Civil-Service Reform in Connecticut.

HON. WILLIAM F. HENNEY, MAYOR OF HARTFORD, CONN.

An examination of the history of municipalities in the United States would satisfy any unbiased observer that the great American virtue is patience. An unkind critic might not hesitate to call it by another name. It seems incredible that an intelligent people could be brought to endure what has been meted out to so many communities in our vast domain under the name and form of government.

Extortion, oppression, incompetency, ignorance, absolute disregard of the relation of means to ends, reckless extravagance, unblushing selfishness, personal ambition and appointments to office made only to further that ambition; all these and a host of other unwholesome factors in public administration, have been heroically suffered upon the specious plea that they are necessary to maintain one political party or the other in power. But a new era is dawning upon the land. More and more thinking men are taking the position that the laws of business are applicable alike to public and private enterprise, and that their violation in either case means disaster. More and more they are realizing that the electoral franchise not only confers great privileges but imposes solemn duties as well. In keeping with this attitude they are manifesting a disposition to question every premise on which the spoils system is based, and to challenge its necessity and even its usefulness as an element in party supremacy or success. The proposition that the merit system of appointments to office is the proper one is no new propaganda.

Prior to 1820, the political leaders of the country tacitly agreed that changes of administration should not affect subordinate public office holders. Webster and Calhoun and Clay were of one mind in this regard. It

remained for Andrew Jackson to inaugurate a system which for half a century debauched political morals and defrauded a long suffering people of the capable service which was their due. It was a blunder, which, like all blunders in public administration, was bound to be farreaching in its disastrous effects. Von Holst says of Jackson that his chief characteristic was the possession and exercise of "a demoniacal will." The bitter fruit of the system he inaugurated and enforced goes to show that the adjective was not idly employed. In 1853, and again in 1872, an attempt was made to stem the tide of abuses brought about by this system, but in both instances the attempt proved a failure for the lack of support of public

opinion.

In 1876 and 1880, the national conventions of both parties declared for the merit system, and in 1883, the civil service act became a law. Several states, notably New York and Massachusetts, followed the federal government in the enactment of a civil service law, but thus far Connecticut has failed to act upon the matter. Nevertheless the spirit of a reformed civil service, with tenure of office by merit and during good behavior, is abroad in the state, and has manifested itself in the fact that for many years there have been few changes in the clerical force at the Capitol, and that competent men, of whatever political opinions, have been undisturbed in office through the changes of state administration. Historically considered. Connecticut has accomplished little in the way of civil service reform legislation. Much has been done. however, in creating a strong and intelligent public opinion in favor of the merit system to the end that town and city and state may render the taxpayer his due by giving him capable service for reasonable compensation. In the cities especially this spirit has been increasingly active. Theoretically, most of our citizens are civil service reformers. They realize the disasters bound to follow from the spoils system carried out to its logical ends. For what results would follow, for example, if all the policemen and firemen of a city were swept out of office at each change of municipal administration, and new and untried men substituted in their places? It is at the practical inauguration of a reformed civil service that our citizens draw back and hesitate. Such a service proposes three things:

1. Practical tests for fitness for office to determine

eligibility thereto.

2. Promotion in office on merit.

Tenure of office during good behavior. men find little difficulty in accepting the last two propositions. The bugaboo that such a system would tend to create an office-holding class, independent of the people and not accountable to them, has been long ago laid to rest. Office is not hereditary under this system, nor does the legislature lose any of its powers to amend the laws and correct abuses. The real difficulty in enacting a civil service law lies in the fear that it might place old and faithful public servants at the peril of successfully competing in examination with all comers for their positions, and, in case of failure, losing them. A candidate for office, a few weeks ago, was asked the question whether he was in favor of a reformed civil service, eligibility to subordinate offices to be determined by a system of competitive examinations. He answered, "Yes, so long as it doesn't apply to present incumbents." There is a great deal of this feeling abroad in Connecticut; in cities it is the disposition of policemen and firemen toward a civil service board, and this disposition is shared in many instances by the commissions having these departments in charge. The fact is, however, that not one of the proposed laws I have seen establishing a civil service board proposes to disturb present incumbents; these laws deal with applicants for office and for promotion. Two or three years ago the City of Hartford appointed a committee to prepare and submit a draft of a modern charter. The committee did its duty and submitted an excellent charter establishing single-headed commissions and providing for a civil service board. The proposed charter was approved by the Court of Common Council and submitted to the freemen of the city, who rejected it. A variety of influences combined to accomplish its defeat. Some were not ready to endorse single-headed commissions with tenure of office during good behavior, while others were not prepared for a civil service board. Among

the latter were some of the older supernumerary policemen. Some of them had been supernumeraries for about ten years, awaiting promotion to the regular force; they had expended \$100 for a uniform, had been compelled, without pay, to attend drills, and now believed they were to be required to stand tests in examination for promotion, and to be appointed or rejected in accordance with the results of those tests, whereas, under the existing system they were promoted in accordance with seniority in the service. They felt that the supernumerary who had been appointed within the year might surpass them in an examination, and seize the prize for which they had been ten years in waiting. This feeling is but natural, and circumstances are conceivable under which the new law would work a hardship, but in most instances the grievance is imaginary. The misconception is as to the scope of proposed civil service examinations. No one would expect an applicant for the police force or for promotion therein to pass an examination in the calculus. On the contrary, the examination would naturally be of such a kind and on such topics as an experienced supernumerary would be likely to excel in. He should certainly be able to hold his own in such a test against a novice. Moreover, length of service and experience would be weighty factors in determining his grade in the examination. But these things are usually lost sight of, and the officer too often regards the whole scheme as a trap to catch the unwary. Carlyle says "so few think, there's the rub." And the obstacle to the establishment of a civil service board, in the cities of Connecticut, is that so few understand the scope and character of such a board.

It is of the utmost importance to the cause of civil service reform in this State that the local association conduct a vigorous, intelligent and enthusiastic campaign of education—a campaign which will be a continuous performance in teaching civil service reform methods. This teaching should be in the concrete. The local association should prepare, for instance, a sample examination paper for an applicant for membership in the police force of Connecticut cities, and distribute copies of it among the various police departments. A similar course should

be pursued with reference to the fire departments. Other sample examination papers might be prepared and distributed among the various civil service departments of the state capitol.

These papers, if intelligently prepared, would show at a glance that only those things are required that might reasonably be expected of an applicant for a given position. They would at once rob the proposition to establish civil service boards of its terrors. It should be made clear, too, that the new law affected only applicants for promotion. No law, I am convinced, would have much chance for legislative sanction, which would throw into the maelstrom of competitive examination large groups of faithful minor officers grown old in the public service. Legislation on this subject should concern itself with the

future rather than with the past.

Under these limitations, and in view of the steadily growing sentiment in favor of civil service reform in this State, the day, I believe, is not far distant when Connecticut will have a competent and satisfactory law regulating appointments and promotions in the civil service of the State. Among our cities, New Haven already has a civil service board, which I am told is giving reasonable satisfaction. It is governed by provisions much the same in substance as those of the proposed law creating a civil service board for Hartford which was rejected by the people. This same law, under direction of the Common Council, was submitted to the last legislature as an amendment to the city charter and was killed in the Senate. The civil service reformers of Hartford have not, however, become weary of well doing, and will again present the proposed amendment to the next legislature and ask for its passage. I hope the local association will present a similar bill for the regulation of appointments to minor state offices. The proposed Hartford amendment is as follows:

CIVIL SERVICE BOARD.

Section 1. There shall be in said city a civil service board composed of three members, appointed by the Mayor, no more than two members of which shall be of one political party; one to hold office for one year, one to hold office for two years, and one to hold office for three years; and in each April thereafter the Mayor shall appoint one member of said civil service board for a term of three years from the first day of May next succeeding. They shall serve without compensation. Said board shall elect one of its number to be chairman,

and shall also appoint a secretary.

Sec. 2. It shall be the duty of said board to prescribe rules for ascertaining the competency of applicants for position or promotion in the police and fire departments, and for all positions in the city government, except the elective and judicial officers, commissioners, officials appointed by the Mayor or with his written approval, officials chosen by the Court of Common Council, employees of the board of education, the deputies of principal executive officers authorized by law to act generally for and in place of their principals, the secretary or chief clerk of each officer, board and commission authorized by law to appoint a secretary or chief clerk, the prosecuting attorney, assistant prosecuting attorney, clerk of the city police court, cashier of the water department, superintendent of charities and unskilled labor-Among other things the said rules shall provide as nearly as the conditions of good administration will warrant, for open, competitive examinations for testing the fitness of applicants for positions in the public service to be classified by the civil service board. Such examinations shall be practical in their character, and, so far as may be, shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed. These examinations shall be conducted by the civil service board, and all offices, places and employments so arranged or to be arranged in classes shall be filled by selection according to grade from among those graded highest as the result of such competitive examinations.

Sec. 3. Whenever said board shall have adopted rules relative to the appointment or promotion of any class of such officials, no appointments or promotions

within such class shall be made, except from those who shall have passed an examination of at least seventy per centum and have received a certificate to that effect from said board, and are upon the list of those eligible to such position or promotion, under the rules of said board. And after the adoption of such rules no removals shall be made of persons holding positions in any department of the city, subject to the provisions of such rules, except for sufficient cause duly shown, which cause shall not be political.

Sec. 4. Any appointment or removal made in violation of the provisions of Section 3 shall be null and void; and it is hereby made the duty of the controller of the city to ascertain and make record of all appointments lawfully made in accordance with the provisions of said Section 3, and he shall make no payments of salary or other compensation to persons within the classes prescribed in Section 2 otherwise appointed. And said controller shall be chargeable by the city with all moneys unlawfully paid to persons appointed in violation of the provisions of said Section 3.

Sec. 5. Any violation of any of the provisions of the foregoing sections relating to civil service and appointments thereunder shall be a misdemeanor, and any official found guilty of such offense may be punished by a

fine not exceeding five hundred dollars.

Sec. 6. It shall be the duty of the secretary to attend all meetings of the board, keep correct records of the same, prepare and keep on file in the office of the controller lists of those eligible for the several departments and clerical positions, send out official notices, and perform such other official duties as may be required of him by the said board. He shall receive such salary as the board may fix, not to exceed five hundred dollars per annum.

Sec. 7. It shall be the duty of the secretary of said board to certify to the controller all lists of those eligible for appointment, giving names, ages, street addresses, examination grades, and to what position each one is eligible. Such certifications shall be made within twenty-four hours after such lists shall have been made out by

the board. Said secretary shall also place a duplicate copy of each of such eligible lists, within twenty-four hours after it shall have been made out by the board, in a position in the office of said controller easily accessible to the public, and shall keep each of such lists on file at least six months from and after the date of its origin.

Sec. 8. The civil service board shall have the power to employ expert examiners in the conduct of examinations involving special technical subjects, and also to make suitable arrangements for conducting such physical tests as may be needed. The civil service board shall annually present to the board of finance an estimate of the supposes.

the sums required for these purposes.

Sec. 9. Public notice shall be given of all competitive examinations required under the several foregoing sections by one advertisement inserted in each of the daily newspapers issued in the City of Hartford, which advertisement in each of said papers shall be not less than five days prior to the date set for each of such examinations so advertised.

If the scope and bearing and the limitations of this law were once thoroughly understood, I am convinced that the citizens of Hartford would be glad to adopt it. They are a conservative community and somewhat cautious about innovations; but when once satisfied that they are right they have never hesitated to go ahead with a will. Civil service reform in Connecticut must progress a step at a time. One city after another will, I believe, adopt regulations suited to its needs, the State will ultimately follow their example, and finally a general law, covering all communities of the commonwealth, framed in that wisdom experience alone can supply, will find a place upon the statute book.

The venerable error, so hard to dislodge, that the civil service is a plum-tree to be shaken by the prevailing party for the benefit of its adherents, is already doomed in this State. Its injustice and cruelty to competent public servants have aroused the conscience of the citizens, and their convictions will bear fruit. Already we hear the cry that one office and another must be taken out of politics. The cry, however, is sometimes misleading.

Not long ago, in a probate district in this State, each of the two candidates for Probate Judge announced to the public, that, if elected, he would take the office out of politics—each meaning apparently that he would accomplish so desirable an end by the simple expedient of keeping himself in the office and keeping the other fellow out; all of which illustrates again the necessity of discussion and agitation as to the purposes and methods of genuine civil service reform.

I cannot refrain, in closing, from a word or two on the broader general aspects of the topic under consideration. There is a good deal of truth in the statement of Holmes, that "if you want to reform a man you must begin with his grandfather." And so, if you want to reform a service you must begin with its source. character of legislation must largely depend on the character and intelligence of the law-maker, and he who seeks wholesome reforms in public service, must attend to the methods of choosing those by whom offices are administered and laws are made. Thoughtful men rejoice in the enactment of a corrupt practices act in this State. I think all will agree that, that act notwithstanding, there is still too wide an opportunity for the use of money in elections. It is one of the functions of a civil service reform association to do its utmost to correct that evil. We will never have the sound and clean elections we are entitled to, we will never secure the free and untrammelled and fair expression of the popular will, until the State shall prescribe what are the reasonable and necessary expenses of an election and pay those expenses itself. Candidates should be prohibited from making any expenditures; for political services that are bought and paid for by the candidate can hardly be in the interest of the public welfare, however much they may contribute to the ends of a personal ambition. venture a final suggestion as to methods: When Kansas was in the throes of populism, a Yankee, who had been some time domiciled there, wrote home to a friend: "I have a burial lot in good old New England; my sole remaining ambition is to gather together sufficient of the remains of a shattered fortune to secure me decent burial there in a community that has faith in something and sometimes takes a rest."

The cause of civil service reform in this conservative old State will suffer if its friends pursue their purpose with din and clamor and denunciation. Steadily public opinion is growing in its favor, and its staunchest advocates are to be found in the ranks of conservative men. It is a business proposition and is to be supported by business methods. Step by step its principles will be recognized in the charters of cities and the laws of the State. It is a reform whose propriety and fairness must eventually appeal to the reason and judgment of men; for it is based on justice and conceived in that wisdom "whose ways are ways of pleasantness and all whose paths are peace."

The Slow Progress of Civil Service Reform in New Territory.

FREDERIC ALMY.

I fear I am an impatient reformer. I am like the man who said: "The trouble is that the Lord is not in a hurry, but I am." It is well enough to congratulate ourselves upon our successes if we keep adding to them, but otherwise the practice is dangerous. There is a saying that Brag is a good dog but Hold-fast is a better, and we civil service reformers are dogged in both ways. We can both brag and hold fast. Until lately, however, though we have held fast with a constantly firmer grip where we have taken hold, we have done little to extend our field. To change the metaphor, we can show fine specimen trees, but there is still no forest. We flourish, but we flourish in a desert of spoils. We have increased vertically but not horizontally.

At the Baltimore League meeting in 1903, (the last before this which I was able to attend) several papers told of the astonishing progress of the competitive system and of our phenomenal success. And yet at that time the total record of places with anything like a complete merit system consisted only of the federal service, the states and cities of New York and Massachusetts, and the cities of Chicago and Evanston, Milwaukee and Se-

attle.

The martyrdom of Garfield shocked the country into a spasm of political virtue and brought us in swift succession the federal civil service law in January, 1883, the New York state law in May of the same year, and the Massachusetts law in June, 1884. In these three fields the gain has been continuous, and the success almost complete. Two-thirds of the federal offices are now filled by competitive examination. In Massachusetts civil service rules prevail everywhere. In New York a second law in May, 1884, made the merit system compulsory for all cities as well as in the state service, and since 1894 it has been entrenched in the New York state constitution.

The first municipal civil service rules in the United States were established in Brooklyn December 15, 1883; the second in New York city, January 1, 1884, and the third in Buffalo, January 22, of the same year; the cities of Massachusetts followed in 1885. There have been set-backs and hard fighting, but in these places the cause is now triumphantly successful. In Buffalo, for instance, 87 per cent. of the municipal offices in all departments are now under civil service rules which are well administered by an aggressive and competent commission.

In the words of Henry V:

"We therefore have great cause of thankfulness; And shall forget the office of our hand Sooner than quittance of desert and merit According to the weight and worthiness."

And Lord Scroop answers:

"So (civil) service shall with steeled sinews toil, And labor shall refresh itself with hope."

But the king was speaking cynically to dishonest servants, and Scroop and his confederates were presently dismissed and executed. We also cannot vet praise the

service of all our states.

As has been said, a moral spasm brought civil service reform in the federal service and in New York and Massachusetts in 1883 and 1884. Then followed, so far as new territory is concerned, a Rip Van Winkle sleep of over twenty years, which for most of the country is still unbroken. Until last year, New York and Massachusetts were still the only states which had the merit system in either the entire state or city service, but in 1905 Wisconsin enacted a civil service law for the state service only. As for cities outside of New York and Massachusetts, there are to-day only seven which have anything like a complete merit system.

Chicago (1895), Milwaukee (1895) and Seattle (1896); and since 1900, Los Angeles (1903). Portland, Oregon, (1903), Denver (1904) and Philadelphia (1905). One state service and seven other cities large and small in the twenty-two years since 1884 is not a large bag, and does not indicate a triumphantly victorious reform.

To forestall the imputation of mis-statement it should at once be added that this list does not include some towns, and also some states and cities where there has been a partial success, or where a success has been won and then lost. By including these we can make a trifling

addition.

In 1895 Illinois passed an admirable act, not applying to the state service, but permissive for towns and cities, under which Chicago and Evanston adopted civil service rules in 1805, and Rockford, Aurora and Elgin in 1903. Last year, in 1905, positions in the Illinois state charitable institutions were placed under civil rules, though in each institution the superintendent and also one clerk and stenographer were exempted. The rest of the state and city service of Illinois is still in politics.

It has been sometimes incorrectly said that the state charitable institutions of Indiana are under civil service reform. They have been made non-partisan, but there

are no civil service rules or examinations.

San Francisco secured a measure of civil service reform by a charter passed in 1900, but it was held unconstitutional as to the county offices of sheriff, clerk, recorder, coroner and assessor,—some of the largest departments of the consolidated city government. Moreover, there has been every obstacle and at last accounts a civil service commission hostile to civil service reform was successfully thwarting the law.

If we take finally those cities where the civil service rules apply to the police or fire department only, we can add several more. Most are very recent. Milwaukee began in 1885 with the police and fire service only and these are still under separate rules, while the teachers' positions are under still another merit system. In Wisconsin, LaCrosse, Superior, Sheboygan, Janesville and Fond Du Lac now have police and fire examinations.

In 1903 Ohio passed a municipal code the provisions of which, according to the 20th report of the United States Civil Service Commission, "are meagre and inadequate and cover only the police and fire departments." Under this law Cleveland, Cincinnati and Toledo have civil service rules in those departments.

In 1905 New Jersey passed a law providing for civil service rules in the police and fire departments of cities

of the first class.

In Duluth since 1904, civil service rules have covered the police and fire departments and also "clerks who do

not handle money."

New Haven had civil service rules in 1808 for its police and fire service, but, according to the 22nd report of the United States Commission, the provision that examinations shall be competitive is "nullified" by the provision that the secretary shall certify those who may have passed the requisite examination with a grade of 70 or over. (22nd Rept. U. S. Civ. Serv. Com. p. 154.)

Civil service rules are reported also in Norfolk, Va. To complete the record, it should be added that in the

police departments of Pittsburgh and Kansas City, there exists what is described as a worthless kind of civil service examination, and that a first success has been followed by failure in New Orleans, Galveston, Tacoma and Jacksonville.

This ends the list, so far as I can discover. have been creditable but unsuccessful attempts also in Atlanta, Memphis and Minneapolis, and Michigan, Kansas, Maryland and Texas. No other states or cities are mentioned in the reports of the United States Civil Service Commission from which the foregoing facts have been drawn.

It would take a map to show adequately the meagreness of this total, if we except the federal service. There is nothing of value in Maine, Vermont, New Hampshire, Connecticut or Rhode Island. There is nothing in the south. There is nothing in the state of President Gilman and Mr. Bonaparte; nothing in the state of Mr. Foulke, and Mr. Swift: very little in the state of Gen. Aiken. and Prof. Farnam; very little even in the state of Pendleton and Garfield. And yet everywhere is the leaven of the federal service, which for twenty-three years, in each state and territory, has been like yeast leavening the whole lump. There is better soil to sow in; there are better fields to reap in than ever before. The wide popularity of President Roosevelt lends strength to the cause he has always championed. The fields are white for harvest; the federal sun shines; but we do not make hay. This could have been said, at least, with truth up to the time of our Baltimore meeting in 1903. From 1885 until 1903, or for eighteen years, there was a period almost of stagnation so far as new territory was concerned. It we subtract from the above record the considerable additions of the last three years and the original successes of 1883 and 1884, the remainder is almost nil.

This does not mean that civil service reformers were idle during these years. On the contrary, all who know the story recognize with pride the devoted service, the hard work, the long advance, and the many triumphs between 1885 and 1905. Few causes have been more fortunate in their leaders, and it is partly because the old fields were so well defended and so diligently improved that new fields were not attempted. The former was the more important fight, and there was little strength to spare. Now, however, at least half our time at our meetings and through the year might well be given to development in new territory.*

In 1885 the National League announced sixty organized Civil Service Reform Associations. To-day, in 1906, there are fifteen. This does not include the four women's associations all of which are in territory also covered by men's associations. The women's clubs are doing good missionary work with visible results. There is room for woman's besom if the spoils system is to be swept from the land. The men civil service reformers, like Hercules, strangled serpents in their infancy. The women's associations, like Minerva, were born full grown, full armed, but the pride of man is comforted by the

^{*}This paragraph is an addition. Otherwise the paper is as read at New Haven. F. A.

recollection that Minerva was born from the brain of the male Jove. So far as I have noticed the work of the women they have given more attention than the men to education and to proselytising, both of which are excellent instruments for advancing the cause. The men's associations have, on the contrary, given more time to extending and perfecting the reform in the spots where it is established

To-morrow evening we attend a memorial meeting in honor of Carl Schurz, with music and speakers of distinction. If we seek a permanent memorial in his honor, it seems to me that there could be none better than to add five or ten more states to the cause which he served. Our recent activity in this direction shows what can be done. I understand that the extension to Wisconsin was almost wholly the result of the efforts of members of this League. At the Baltimore meeting I chafed a little because so much time was given to questions of administration, with no report of new states and cities won over, though there were pleas by Mr. Ordway and Mr. Richardson for more effort and more effective methods. The last (22nd) report of the United States Civil Service Commission gives such a report as I wish might be read here annually. The report shows new state laws in Wisconsin and New Jersey; gains in Cook County, Illinois, and in the Michigan State Board of Health; an attempt in Kansas City for a civil service charter which was barely defeated; an unsuccessful attempt to reform the state service in Colorado: civil service resolutions in Scranton, Reading, Wilkes-Barre and Pittsburg; the reorganization of the civil service bureau in Philadelphia; attempts for the police service in Minneapolis and the state service in Kansas; and good civil service rules in Denver.

We have a special committee on organization of Civil Service Reform Associations. I wish it might be made a standing committee, and its report given special prominence at each annual meeting.

I should like also to see a field secretary with a liberal appropriation for traveling expenses. It seems to me that three thousand dollars a year would cover this, and

that we are sufficiently in touch with men of means to get the money for effective work. The effort should be directed first of course to those states and cities where there is already some interest, and in such cases, much of the money could be raised locally. If money now comes with difficulty for our present needs, I believe the remedy is to ask for more money for more work. Phillips Brooks is reported to have said that the prayer of a strong man never is that his burden may be less, but that his strength may be more. I wish there might be a Carl Schurz Memorial Fund devoted wholly to this work of extension.

Our Constitution provides for Correspondence Committees in places where there is no Civil Service Reform Association, and no doubt the secretaries are forming such committees in other states, as they are in the smaller cities of New York state. It is not hard in any city to find the knot of men who work for better government. Mere wholesale circularizing often yields unexpected results. A newspaper report of the first annual meeting of the Buffalo Association, reads as follows: "The New York Association went vigorously to work to organize similar societies in other localities, and letters and documents were sent to several persons in Buffalo urging the formation of an association here. These repeated letters and showers of printed matter had the desired effect, and during the spring of 1881 several preliminary gatherings were had among the recipients of such communications. The result was that on June 13, 1881, a call was issued by forty gentlemen for a meeting to organize an association."

The women's auxiliary clubs have made much use of public addresses, before all sorts of organizations; and prizes for essays in women's colleges. If we could, in the same manner, interest the picked men graduating from college, at the Galahad age, it would be worth many times the cost. Pecunious friends of this cause could hardly do better service than by offering such prizes to the seniors in a few colleges or law schools. In some towns meetings have been arranged where the mayor and chief officials, the principal clergymen of all

denominations, prominent citizens, and the graduating class of the high school have been assembled to hear addresses or a prize essay on civil service reform. Ad-

dresses before labor unions are also helpful.

The effective influence of some one from out of town who spends a few days in a place is sometimes remarkable. A field secretary can round up the latent interest in a city, organize a meeting, and set in motion what mere shame as well as interest will keep in motion after he

has gone.

All these methods are too familiar to occupy your time. It is worth noting, however, that what we have to overcome now is inertia rather than disbelief. The strength of the federal law against all attacks proves that a majority of the country is converted to the system where merit is the only pull. To meet inertia we must have enthusiasm. It is of no use to say of any community that it is not interested. It can be made interested, but it takes fire to beget fire.

There are still many details and perhaps important principles of civil service reform on which we disagree, and these are discussed at length at our meetings. But if after twenty-five years we are not agreed on elementary principles which we can urge upon new communities, we never shall be It seems to me that we should raise a Schurz campaign fund that within a year or two will convert, say New England, to the elements of civil service reform, and that we should leave this meeting, and to-morrow night's memorial meeting with a resolution to carry the whole country, with more speed, for the cause which we all serve, and to report progress annually, through success and failure, to the end.

DISCUSSION.

Hon. Charles J. Bonaparte:

I listened to our friend Almy's paper with great pleasure. But it is not, I must say, quite accurate in alleging that nothing has been done in the line of civil serv-

ice reform in the State which is honored by the residence of President Gilman and discredited by that of another person whose name he mentioned. It is true that vastly less has been done there than ought to have been done and that there is in Maryland an admirable field for anybody among us who wishes to work, and I may add, that nowhere would he meet with a more hospitable welcome. But, if it be a fact that the United States Civil Service Commission in recording the progress of civil service reform has left out that portion of our national territory, it will be decidedly in order for the Commissioner who is soon to speak to us to explain that omission, because it is quite inexcusable that Maryland should have been overlooked.

In point of fact a very considerable measure of civil service reform was introduced into the municipal service of Baltimore by the new charter which was adopted in Especially was this the case with regard to the public schools, the provisions for which were, I believe, prepared by President Gilman himself, who was a member of the commission which drafted the charter. It is probable that this particular part of the progress of the reform may have received less attention than it otherwise would have received because the civil service reform character of the provisions was as carefully concealed as possible, since, otherwise, the charter might not have been adopted. It is also true that under the first municipal government established after the charter went into effect we succeeded in extending the provisions of the merit system to the Fire Department of the city also, a branch of the public service of very great importance to the well-being of the community and affording a field of great utility for the application of civil service reform principles. Here again it is possible that the adoption of reform did not attract attention from outside the State because of the singular way in which it was administered by the first Board of Fire Commissioners whose duty it was to give effect to the ordinance. A majority of that board were very indignant to discover that they could not appoint anybody they pleased to fill vacancies and in order to show their displeasure

they established as a rule that the man highest on the list of eligibles, the first man certified, should never be appointed. In one instance in which that rule was applied the fireman excluded—it was a case of promotion had received from the same board a medal for an act of exceptional gallantry. On their attention being called to the fact that it was a little inconsistent for them to refuse him promotion merely because he had committed the crime of passing the best examination when they had given him a medal for exceptional good conduct, they voted to take away the medal. However, in time we got rid of those commissioners and in time we got in other commissioners who took a different view, and while the commissioners have gone, the reform has remained, and I believe, as far as I am informed, the system is applied in good faith at present. Furthermore, there was an attempt made, which might have been put down as among our well-meant failures to apply the merit system to the selection of our police force. That was nullified by a singular decision of our Court of Appeals, to the effect that, the word "nominate" having been used instead of "certify" or something of that kind, as to the persons who should be reported to the Board of Commissioners by the Board of Examiners as fit persons for appointment, the Court of Appeals decided that the Board of Examiners were entitled to "nominate" everybody on the list if they saw fit, and that for a long time they did, which seems to have been very much the same construction as put on one of the other laws mentioned here. Nevertheless even there a very great improvement has been made under the last Board of Police Commissioners that we have had—the present one—and I am informed that political considerations have been pretty well excluded in the matter of original appointment, so that altogether there has been, even in this neglected field, a beginning of our work, and if anyone wants to come down from the outside and help to do more work, as I have said before, we will receive them with open arms and all the other incidents of Maryland hospitality.

I mention this more particularly because it may possibly be that in other States a little of the grain that has

fallen by the wayside and which has nevertheless sprung up and brought forth fruit, may likewise have been overlooked by those who should have recorded the achievement, and if so, we may have a more hopeful and optimistic feeling than possibly some of us now have. That there is a great deal which may be done, however, no one feels more strongly than I do and I think nothing is more salutary than to recall that matter, not merely occasionally, but frequently, to our attention.

Mr. Horace E. Deming:

Just a word in regard to the historical point to which Mr. Goodwin referred. In New York, the administration of the civil service law during those years was so bad, so bad, in so many different and ingenious ways, that it finally led in 1894 to the formulation of charges which caused the appointment of an investigating committee by the State Senate. It happened that the Senate Investigating Committee was in the midst of its work at the very time when we were having a constitutional convention, which, as the result of certain occurrences, was composed of men of much higher mental capacity and of a higher degree of civic righteousness than we ordinarily get in such a body. The facts disclosed by the Investigating Committee furnished a strong support to the arguments of the friends of the Merit System and the Constitutional Convention incorporated a civil service reform provision in the new constitution to be submitted to the voters at the fall election of 1894. The good fortune continued. The constitution was adopted and since January 1st, 1805, the fundamental principles of the Merit System have been a part of our organic law in New York. Our troubles, however, were not over by any means. It was not long before there came the inevitable reaction and we had what was known as the "Black Law," so called from the name of our then Governor who was well known to desire "to take the starch out of the civil service." It has been only comparatively recently, and as the result of still further work, that we got what we could properly call a "White Law" both as to its character and the name of the gentleman who

became its sponsor, a member of our State Senate, which has enabled us, partly as the result of previous agitation, partly as the result of the amendment to the State Constitution and partly as the result of a great deal of quiet and of some public work, to begin to get something like a fair and adequate, but by no means yet a really adequate and competent administration of the State civil service law in our own State.

Now I appeal to you, if during the period of our struggles, one of the New York civil service reformers had gone to some other State and advocated the establishment of the Merit System, to what record of accomplishment could we point in our own State that would have encouraged the citizens of Michigan, for instance, or Wisconsin, to believe in the need and desirability of entering upon the same sea of trouble we were in the midst of in New York? It is very different now.

Mrs. Glendower Evans:

A recent speaker has referred to the opposition which an effort to extend the civil service system met in his locality from officials who feared that they might be displaced were they subjected to a competitive examination. Such a condition has actually arisen in Massachusetts in a department of which I have knowledge, and it is a condition that not only works a hardship to faithful employes, but has seriously handicapped a department which was doing first class work. In another department an official of years' standing, experienced and particularly efficient, really the right hand of the superintendent of the office, has been outranked and is liable to be displaced by a novice whose capacity has been tested only by an examination paper. It seems to me civil service reformers should realize that such an occurrence gives a great set-back to the system. It enlists as opponents people who in principle are with us, people who believe in the merit system as much as we do, but who protest when success in passing an examination is preferred, as a test of capacity, to success in actually doing the job. We civil service advocates are often called abstract and theoretical. And we must acknowledge that is a danger

which besets us. In an instance such as I have quoted, it would seem as if the representatives of the system had inadvertently done the very thing our enemies taunt us with doing. We need to keep close to life, close to the officials whose departments we are attempting to regulate. We need to understand how the system works in the concrete as well as in the abstract. We should take pains that our rules fit the needs of each case, and that the good of the service is not sacrificed to our methods.

It ought to be possible to enlist all good citizens on our side, all the people who want the public work well done. And every time it happens that civil service regulations act as a handicap upon good work, those devising and enforcing such regulations are undermining the very system they are trying to build up, and in effect are joining hands with the enemies of a true merit system.

Professor Henry W. Farnam:

I would like to say the same policy has been pursued in New Haven. When rules were made they were not applied to those already in office, and unless I am mistaken the case mentioned by Mayor Henney was not of those already in office, but referred simply to candidates for employment.

Mr. Elliot H. Goodwin:

I do not know on just what points to speak in this connection. Mr. Almy's paper interested me very much, and I believe thoroughly in the work that he advocates. Also, I shall be glad to do all that I possibly can to further it personally, and if arrangements can be made for sending someone West this winter, I shall be glad to undertake the job if I am selected for it. But I think it may be well to point out, in regard to what Mr. Almy said, that in the years in which he said none of this work was done there was something of which he does not take account which held us back, something which I have found it necessary to keep in mind in all the proselyting work that I have done for the League. If a man goes out from New York to preach civil service reform he is

expected to teach the lesson of civil service reform from his own city or else he will be told to go home and begin work there. In the Federal service in the three years Mr. Almy described we were fighting to hold our own, and not always holding our own, and in some of the recent years in New York we have had too much to do at home to allow us to go abroad and preach on what had been accomplished through civil service reform. other words, if a man is going out to represent the League or to represent the New York Association, to advocate civil service reform, he has got to show what he has left behind and what civil service reform has accomplished, and that means that a man must be sent out in times when things are going favorably and when we have results to show and can say to people just what civil service reform will do. In those years to which Mr. Almy referred we were very active making investigations showing the violations and evasions of the civil service that were being practiced so that when we now go forward we have something better to show to them in the way of results accomplished than those officers who were in charge of the activities of the League at that time would have had if they had then undertaken this proselyting work which we are now better prepared to carry forward.

Mr. William H. Hale:

That very amusing statement of Mr. Bonaparte's as to the exclusion of the highest on the list, is not without a parallel. A number of you from New York City will not forget, I think, that until a recent decision of the Court of Appeals it seemed to be the rule of appointing officers there to prefer the lower end of the list rather than the upper end of the list for their appointments, and from my own knowledge of public happenings in Brooklyn I recall a certain Commissioner of Public Works in Brooklyn whose remarks, made in my hearing, were very much to the effect that people near the head of the list were somewhat discredited because the probability would be that they were not practical men.

Hon. Henry A. Richmond:

In civil service reform, as in many other matters, it

is wise not to attempt to carry too much at one time. Take our own experience in Buffalo. When the move to apply the civil service reform system in the selection of teachers in the public schools of Buffalo was first made, there was a strong feeling that the teachers then holding places in the public schools, should pass an examination. But a number of us who had the bill in charge decided to insert a clause that these examinations did not apply to teachers now employed in the public schools. caused a very great sensation. A number of reformers came to me and said: "Mr. Richmond, there has been a very grave oversight made. This bill does not apply examination tests to teachers now employed in the public schools." I answered, "I am aware of that, and in favor of exempting them." "Do you not think that some of these teachers are incompetent?" I stated that to my personal knowledge some of them were, but that if the six or seven hundred teachers in the public schools believed they would have to enter an examination to hold their places, they would probably organize and beat the bill. My idea was that there should be no more incompetent teachers admitted and rely on slowly but surely getting rid of the incompetents then holding office in the Educational Departments. That was ten years ago, and of the latter class of teacher practically all of them have dropped out. While, on the other hand, the standard of the teachers now in the public schools, practically nearly all of whom have come in under civil service reform methods, at the very lowest estimate, is at least 50 per cent, higher than it was ten years ago, and is steadily advancing.

In civil service reform methods, as in everything else, we have got to exercise good, practical common sense. The best way to get a foothold is to carry as much as you can, but not to attempt to carry so much that you lose everything.

Hon. Everett P. Wheeler:

We did have in the New York Association for several years a field secretary, who certainly did excellent work, and it does seem to me the suggestion of Mr.

Almy, that we should take that up again and have such an official of the League, is an admirable one. It should also be stated that our secretary, Mr. Goodwin, has to some extent acted as a field secretary and has carried the banner in some places where up to that time civil service had only been known as a distant object. I sincerely hope that during the coming year these suggestions of Mr. Almy may bear fruit and that we may succeed to such an extent that we shall have a secretary whose time shall be chiefly devoted to missionary work.

Mr. Ansley Wilcox:

In connection with this discussion I would like to say a word in regard to the President's recent Executive Order for the application of the merit system in the consular service, about which a report was made this

morning.

You will recall in that order there is no requirement that those now in the consular service shall be subject to examination, but there is a provision that those now in the consular service may take the examination and thus put themselves in line for promotion. This is an admirable idea, leaving an incumbent in his present position but requiring that he shall be examined before he can obtain a higher position.

The Enforcement of the Provisions of the Civil Service Laws in Regard to Political Assessments.

HON. HENRY F. GREENE, OF THE UNITED STATES CIVIL SERVICE COMMISSION.

The civil service act, which still exists in its original and unamended form, has four sections bearing on the subject of political assessments: Sections 11, 12, 13, and 14. In brief, Section 11 prohibits any member of either House of Congress, or member-elect, or any other person holding office under the Federal Government in any of its branches, either directly or indirectly soliciting or receiving or being in any manner concerned in soliciting or receiving any assesment, subscription, or contribution for any political purpose whatever, from any other person in the employ of any branch of the Federal Government. Section 12 prohibits the solicitation in any room or building occupied in the discharge of official duties by any officer or employee of the United States, or in any navyyard, fort or arsenal, or the reception in any such place of any contribution of money for any political purpose whatever. Section 13 prohibits the promotion or demotion of any officer or employee of the United States for failure to pay or for paying any assessment for political purposes; and Section 14 penalizes the giving of money or any other valuable thing under any of the circumstances under which the solicitation or receipt of the sum is prohibited by the act.

It will be seen, therefore, that there are two distinct offenses prohibited by the terms of this act. First, the solicitation, receipt or payment of any money or valuable thing for political purposes in cases where the solicitation is made by one officer of the United States from

another, or the payment is made to one officer of the United States by another; and, secondly, the solicitation by any person of contributions of money in any building or room occupied officially by an officer of the United States. And in the former class of cases two distinct offenses are created by the act. First, the solicitation by one office or employee from another; and, secondly, the payment by one officer or employee to another.

This part of the civil service law has always been one of its most popular provisions. It has reasonably well been enforced from the enactment of the act. Gross and open violations of the law have been far less common than have been gross and open violations of any other provisions of the civil service law. Congress has never suspended its operation, as it frequently has the operation of the other provisions of the law in regard to the appointment of Federal officials or employees. At the time the act was passed, it was felt that the money raised from Federal employees was a serious menace to the freedom of elections. Solicitation and payment was then as open and undisguised as appointment, and the amount of money collected by the party in power could reasonably well be estimated on a basis of from five to ten per cent. of the total amount appropriated by the various appropriation bills passed by Congress to the salaries of officials or employees of the Government of whatever grade. Twenty-three years of fairly good enforcement of this provision of the law, together with the gradual extension of the competitive system, partial suppression of pernicious political activity, and the somewhat more lax but still tolerably firm administration of the parts of the civil service law bearing on appointment and promotion, have practically banished from our politics any large or extended use of the money of officials for the purpose of controlling or carrying elections. The extent to which this has been done, of course, varies with the different departments of the Government, and varies with the character of the administration. But, on the whole, it may safely be said that the political assessment is as to the Federal service in the main a thing of the past.

A recent investigation was held by a representative of the Civil Service Commission in the City of St. Louis, on a charge of a violation of the provisions of the civil service law in regard to assessments. It was found that the law had been, within the construction placed upon it by the Civil Service Commission, violated, although the violation was of rather a technical character; but it was also found that from the 125 employees examined, including many of high rank in the service and many receiving, considering the general pay of Federal employees, fairly good compensation, precisely \$16.00 had been collected in a close and rather exciting campaign, for the use of the Republican party in the State of Missouri, and of this \$16.00, \$5.00 was paid by a man who evidently had no definite idea of any reason for paying it, except a general notion that it might possibly procure him advancement in the service to respond to such calls.

The United States Civil Service Commission from the beginning has always been prompt, and as far as it could be, thorough, in examining this class of cases. There have been, it may be said, four difficulties which have stood in the way of efficient prosecution by the Commission, but which have not prevented a fairly successful enforcement of the law and a considerable number of removals for its violation and several convictions in the criminal courts for offenses against its terms. In the first place, the language of the law itself and the peculiar way in which its terms were shaped in an effort to give them great stringency, raises one obstacle to investigations. It will be noticed that it makes it a crime not only to solicit in any manner, directly or indirectly, assessments for political purposes, but also to pay them; hence every employee who testifies as to a solicitation in any case where the solicitation was followed by payment, has himself committed a crime, and runs a risk of prosecution, removal, and punishment, if his testimony is believed. The Civil Service Commission has never requested the prosecution of any employee for paying assessments, and none such has ever taken place. Nor have there been any large number of cases in which an employee has been punished for paying assessments. This distinction in practice between the employee who pays and the employee who solicits has been based on the feeling that the payment was coerced, and also on the practical necessity of immunity for one party if evidence was to be obtained. In one case in the year 1896, certain employees testified as to a payment and procured the punishment of a party enforcing the payment. In the following year there was a change in the national administration, and a Republican replaced a Democrat in the Customs Office at Port Huron, Michigan, where this incident took place. Thereupon, the officials who had testified as to making payment under compulsion the year before, and by whose testimony convictions and punishments had been obtained, being Democrats, were removed by the Collector for their violation of the civil service law.

While this instance stands by itself and there are few, if any, cases where avowed punishment has been inflicted upon an employee who has made a payment, and by whose testimony a conviction has been obtained for violation of the law, yet there is always this risk, and the man who has made a trifling payment would therefore, as a rule, prefer to keep quiet rather than to expose himself to further risk.

Furthermore, the shape in which the law stands allows any employee to refuse to testify because his testimony necessarily incriminates himself. In a recent prosecution against an ex-Congressman in Kentucky—a State in which one or two prominent convictions for violations of this law are greatly to be desired—the most material witness refused to testify, and sheltered himself under the plea that he could not be forced to incriminate himself. As he was not in the executive civil service, but was an official of the House of Representatives, he could not be compelled to make a statement.

In the earlier history of the Commission, there was a great difficulty arising in this connection from the fact that an employee could refuse to make any statement. In 1899, in the investigation of charges made by Mr. Chandler, of New Hampshire, against Senator Gallinger

of that State the Commission's investigation was embarrassed by the refusal of a witness who was interviewed by Commissioner Procter to make any statement. The Commission itself has, under the provisions of the law, no power to compel witnesses to testify; hence the investigation in the case mentioned had to come to an end when the witness refused.

By an amendment to the civil service rules, made by President Roosevelt and enforced by him, persons in the executive civil service are compelled to answer questions propounded by the Commission; hence this difficulty in the way of an investigation has now been partially removed, but it is extremely desirable that the Commission should have the power to subpoena witnesses and to administer an oath.

Another difficulty in the way of the effective prosecution of violations of these sections is found in the fact that any Federal employee making the charge runs a risk of the indignation of his superiors. Removal is certain, unless he makes good, and removal or some other punishment is quite probable, even if he does make good. This comes from the departmental spirit which no one outside the civil service can possibly appreciate. also undoubtedly true that frivolous and vexatious charges are quite frequently made by inferior employees against their superiors, and the discipline of the departments requires that the making of such frivolous and vexatious charges should be discouraged. The clerk or carrier, however, in a post-office, who makes charges against the postmaster, and this is equally true of other branches of the service, remains after the charges are investigated under the jurisidiction of that postmaster, unless the latter is himself removed, and it requires firmness and tact on his part to avoid the consequences of having made charges, even where they are sustained. In a recent case clerks who protested against the payment of political assessments and refused to pay them, and who made complaints to the Post Office Department, secured an inspection of the office, and after they had told their story, which, of course, was denied by the postmaster, they were put on night duty and otherwise degraded and punished.

Subsequently, a further investigation was had and the facts disclosed in that investigation showed most conclusively that the postmaster in question had endeavored to cover his misdeeds by falsehood, and that the men had been telling the truth from the start, whereupon he was removed, and they were restored to their positions, yet in this case it was only an accident that the postmaster unconsciously left lying in his office the fragments of a letter which conclusively showed his guilt, and which were obtained and pieced together by one of the clerks, that enabled the Commission to secure favorable action by the Department. In another case a party made charges against the postmaster which were investigated and sus-The postmaster was reprimanded; a laborer tained. wrongfully assigned to classified work was removed; and the assistant postmaster was compelled to retire from the political assessment collecting committee to which he belonged. The man who made the charges, however, was no gainer. Shortly after the investigation he was directed by the postmaster to do night work. Surmising that this was intended as a punishment, he refused, and thereupon he would have been removed but for the intervention of the Civil Service Commission, and he actually was reduced \$200 in pay. His conduct in refusing to take the assignment to night duty was insubordinate, and would have justified a removal; yet it is quite easy to see that it would have taken a cool head for the man to have realized that, whatever the relations were between himself and the postmaster, so long as he was in the office he must obey orders.

The burden of proof is always on the Commission in these cases, to establish its charges by a fair preponderance of evidence. The obligations of an oath perhaps do not lie as heavily on man's consciences as they did forty years ago, and the official who has violated the law by making assessments is usually ready to "lie like a gentleman" as to the offense committed. Hence it is somewhat difficult to meet the burden.

The Commission has been hampered by two rulings of the Department of Justice. One of these is in the matter of mailing circulars calling for contributions

addressed to the office address of the employee and delivered to him at his place of business. Such circulars not coming from Federal officials are not within the provisions of Sections 11, 13, and 14 of the act, but are they not under the provisions of Section 12, which indicates that no person shall, in any room or building occupied in the discharge of official duties, by any officer or employee of the United States mentioned in this act, or in any navyyard, fort, or arsenal, solicit in any manner whatever, or receive any contribution of money or any other thing of

value for any political purpose whatever?

In a case arising during an administration of the Department of Justice under a very eminent lawyer, and during an administration of that Department which was by no means unfriendly to the civil service law, the Honorable Richard Olney held that the action mentioned did not constitute a violation of the civil service law, and that it was permissible without violating the terms of that law to mail an assessment circular to a post-office employee at his post-office. During a subsequent administration, that of President Mckinley, Mr. Griggs being Attorney-General, the same point was again raised, it being proved that the Republican State Executive Committee of Ohio had addressed such circulars demanding payments on account of political assessments to emplovees, which had been delivered in Federal buildings. An extensive brief was submitted on behalf of the Civil Service Commission with the evidence in the last named case to the Department of Justice, but no action has ever been taken on that brief or on the question.

The Honorable Judson Harmon, Attorney-General under President Cleveland's second administration, made a holding in the case of W. M. Bellman, found in Vol. 21 of the Opinions of the Attorney-General, page 298, which might well afford a loop-hole for extensive violations of this law. In that case Bellman was a special agent of the Post-Office Department who received money to pay other special agents. By direction of the special agent in question, Bellman opened the envelope in which the money was received, and paid the said money for political purposes. "It appears that the money was a con-

tribution by the agent in Chicago in aid of a political campaign, which the party to which he belonged was conducting in one of the States, and that this fact was known to Bellman when he received and carried out the order." The Attorney-General held that neither of the parties violated the civil service law. It is hard for me to understand the force of the reasoning adopted by the Attorney-General in this connection, particularly in view of the very sweeping character of the terms of the law. Section 13 of the law not only prohibits solicitation of or receiving money by one Federal employee from another, but with a view of making proof of the offense easy, and of prohibiting evasions of its terms, it says that no such employee shall "be in any manner concerned in soliciting or receiving, any assessments, subscription, or contribution, for any political purpose whatever, from any officer, etc., of the United States." The difficulty which the interpretation put upon this law by the Attorney-General is that it opens the door for almost unlimited collections of money by superior officers, provided they do not solicit the same. In fact, under the terms of the decision in the Bellman case, it would seem that it would be possible for a postmaster to take out of the pay of each of his clerks ten per cent., and turn the sum over to the representative of a political party. The solicitation would have to be done by someone outside the Department, but the postmaster could report on those who failed to contribute, and having received the directions of his employees to pay, he could most effectually see that these directions were carried out. That extensive violations of the law have not been committed along the lines of this decision, is not due to its harmlessness, but to other causes, which I shall refer to later on.

The Attorney-General has a great advantage in making his decisions in that he is a court of last resort, but it is not believed that the doctrine of stare decisis applies with any greater force to these decisions than to the positions of the Supreme Court of the United States, and it is to be hoped that the Department of Justice will see its way clear to reverse itself in this ruling, as the august tribunal mentioned did in its last decision on the income tax.

The argument in favor of the position which has been constantly taken by the Civil Service Commission in this connection, that to address through the mails a circular making a demand of a payment for political purposes to a Federal employee at his place of business is a violation of the law, seems to me to be strong. The position of the Commission was endorsed by the Honorable George F. Edmonds, a very distinguished lawyer and member of the United States Senate, and who was a member at the time of the passage of this law. In a general way and briefly, it may be said in this connection that the object of the law was not to prohibit the payment of money for political purposes by employees, but to prevent two things: First, the coerced payment of money for political purposes; and secondly, the annoyance and interruption to business caused by begging for political purposes during office hours, and at the place of business of the employee. Within the last purpose, the prohibition of addressing by mail a begging letter or assessment circular is strictly logical, and one of the most common and one of the best tests of the meaning of a disputed point in the construction of a law is to determine which construction most effectually removes the wrong which the law seeks to redress. In the case in question, it is evident that as much annoyance and loss of time may be caused by addressing a sufficient number of letters to the employees of a custom-house or post-office as would be caused by one personal solicitation of such employees. Hence, the construction of the Commission is the one which would most effectually serve the purposes of the law. If a man stands outside of one of the bureaus in Washington, and sends a mesenger boy in with a note to be delivered to a clerk at his desk, asking him for payments, he certainly would be rightfully held to violate the terms of Section 12, and it is difficult to see why, when he puts a stamp on his note and entrusts it to the Post-office Department, it is any less a violation of the section. It is partly owing to this ruling of the Attorney-General that but one conviction has been obtained of a violation of Section 12, that one being in connection with the Goshen, Indiana, Post-Office case,

The hostility and indifference of the other departments of the executive and judicial service has in the past been a severe trial to the patience of the Civil Service Commission, and a serious obstacle to the just enforcement of this law. A feeling that the civil service law is a joke, and that offenses against it are to be viewed in the light of pleasantries, and as destitute of any element of moral delinquency, has been quite firmly rooted in the service until recent years; but it must be distinctly understood that no department of the Government can be complained of on the ground of the absence of cordial cooperation with the Civil Service Commission under the present administration. The heads of the various departments of the Government are in full accord with the position of the President, and the civil service law is now being, enforced as vigorously and consistently as any other law on the statute book. During the three and one-half vears in which I have been a member of the Civil Service Commission there has not arisen a serious contest as to any measure of discipline between the Civil Service Commission and any of the departments of the Government. In some cases punishments have been recommended by the Commission more severe than were imposed by the departments, but this has always happened in cases where there was room for a difference of opinion.

With such difficulties thrown in the way of the Civil Service Commission, why is it that so much progress has been made in the enforcement of this branch of the law, or to put it more correctly, why is it that obedience has become so general to these provisions of the law?

In the first place, where punishment has followed the violation of the law, it has been very effective, because of the class upon whom it is inflicted. Notwithstanding the criticism that has been from time to time made upon the character of various persons in the Federal civil service, and notwithstanding that under the system of spoils politics which still largely obtains as regards the officers appointed by the President by and with the advice and consent of the Senate, or in other words, officers of a high rank, appointments are occasionally made of men of bad character or indifferent standing in a community,

nevertheless, as a general rule, the postmaster or collector of customs or head of a bureau in Washington is a person of education, intelligence and good moral character. To such a class of people indictment and conviction, even if only followed by a fine and removal from office, is a severe punishment, and it takes but few instances of this kind to put a stop to gross and open violations of the civil service law. A case like that of Mr. Leib, in Pennsylvania, or of U. S. Marshal Fagan. in Ohio, to refer to two cases which have occurred within the last twelve months, has an effect far beyond the ordinary administration of the criminal law, and serves for a time to put an entire end in the neighborhood of the place of the offense and punishment to violations of the law. It is far different from the case of ordinary criminal law, where you have to deal with professional criminals, or from the case of liquor laws, where you have to deal with a large number of persons who have a great pecuniary interest in the continued violation of law, and who often are of a character such that fine or even imprisonment has no great terrors for them.

Moreover, offenses in the way of soliciting funds for political purposes are unpopular, both in the general public and in the service, and no official who desires reputation and popularity will be likely to repeatedly or system-

atically violate these provisions of the law.

An official of sufficient firmness of character and good judgment will, if he desires a successful and quiet administration, rigorously enforce as well the other provisions of the civil service law as that which is under discussion, and practical experience has made a large majority of such officials friends of the law.

The great cause undoubtedly of the improvement in the matter of political assessments has been the general spread of the merit system. A man appointed by means of a competitive examination is not generally a politician. He does not feel that he owes his appointment in any way to any political leader, Congressman, Senator, or through or to any party. When an office is filled with men appointed through competitive examinations, the standard of opinion of the office becomes unfavorable to the

political activity of its members. Then, no one has a right or a supposed right to call on persons in such position to make contributions for political purposes. Under the spoils system, an official owed a debt of gratitude to the political leader who had given him his position. Furthermore, he realized that without a continuance in power of the party through whose organization he had received his appointment, his place would be lost, and hence he had the strongest motives both of gratitude and of that variety of gratitude which has been defined as "a lively sense of favors yet to come" to make contributions to the party treasury. Then again, his promotion depended upon the amount of assistance he could give his party, and often the only assistance he could give was to give money, and that was frequently the most effective assistance he could give. But with the man appointed under the Merit System, who owes his position to no leader and to nothing but to his own brains and determination, who knows that his position is safe, no matter what change may take place in the party in power, and who knows that no matter how much he may ingratiate himself with his superiors he has no prospect of rising except by his own merit—with an office filled with men who justly feel thus, it is useless to make any appeal for political assessments, or for contributions.

One of the distinguished representatives of a State bordering on the District of Columbia which has always been prolific in civil service reformers of an aggravated type, and also in the most rabid varieties of spoilsmen, said that he was opposed to an extension of the Rural Free Delivery service, because "persons in the Rural Free Delivery service have no gratitude, while fourth-class postmasters were plentifuly endowed with that virtue." This remark illustrates that most effective method of fighting the collection of assessments or pernicious political activity of any kind, sort or description. Let the examinations be free from all suspicion, fair and practical; and let all the branches of the service be put under the civil service rules; and the collection of assessments will disappear entirely; and that it has disappeared as far as it has is due more than anything else to the enormous extensions which have been made to the classified service.

More charges have been investigated by the Commission of the collection of political assessments during the last two years in the small non-competitive service, than in the large competitive class. The deputy collectors have now been placed under the civil service, and I am not making a hazardous prophesy when I say that in two or three years from now—barring such a raid on the Internal Revenue service as was made by spoilsmen during the first adminstration of President McKinley—the collection of political assessments will be as uncommon in that class as it is now in the rest of the field service.

As a matter of course, the strictness of the observance of the sections of the law which have formed the subject of this paper varies in different branches of the service. In the departments at Washington I really believe that for the past twelve years there has hardly been an instance where a cent was paid except with the clear and unbiased volition of the party paying it, and consequently very little has been paid. Government salaries, while large in some instances for the class of work done. are not, considering the education and character of the people holding Government offices, so large as to encourage voluntary donations to any benevolent purpose, either to Chinese missions or to the success of the Republican party. In the field service, it is hard to make statements with any approach to accuracy from a lack of knowledge, but the paucity of charges and a somewhat extensive investigation made by me into the Internal Revenue service in 1905, make me think that there is not much violation of law in the field service. Opportunities for collecting the assessments, of course, exist without violation of the law, and these are quite freely made use of in some parts of the country, while in others scarcely anything is done of this kind.

Can anything be done to strengthen the law as it now exists? From a theoretical standpoint, I think that Congress would be justified in entirely prohibiting the payment of money for political purposes by anyone in the Federal civil service. If a salary is large enough for a man to afford to give away a considerable proportion of

it for political purposes, it could be reduced with benefit to the taxpayer. There is no reason why the public—Democrats and Republicans alike—should be taxed to raise money to be turned over to employees in such amounts that they can be able to devote the money of Democrats to the success of the Republican party, or vice versa. If salaries are not large enough to allow their use for political purposes, such use should not be permitted. Nor do I see any constitutional objection which could be made to such a statute.

Again, a less severe measure, the passage of which was at one time actually contemplated, would be a general law forbidding anyone to solicit contributions for political purposes from Federal officials. Solicitations of this kind are not made from the general public as a rule, or at any rate if there is no idea that the general public will respond to an extent large enough to pay for the cost of printing the circulars. There does not seem to be any reason why the Federal civil service should be picked out as a body which ought to contribute to political purposes, Members of the classified service owe their positions to no political aid, and as above stated, the fact that they get their money out of the pockets of the entire community is no reason why they, at any rate, should be regarded as peculiarly liable to devote what they get from the whole community to advance the opinions of any fraction thereof.

Hence, there would seem to be no injustice in the absolute prohibition of the solicitation of assessments from any Federal official.

A measure which is of a still milder character than any which have been mentioned, and which might be practicable, even in the present disposition of Congress, would be a law prohibiting the use of the mails for the purpose of solicitation of assessments. Another measure, to carry which into effect a bill has been recently introduced in the New York Legislature, would be a publicity law, requiring a statement to be published by all political computeess of the amounts collected from employees, and by all employees of the amounts paid by them. This would put the collection of assessments under the re-

stricting influence of public opinion. The objection to it is that, as has been shown in the case of the various "corrupt practices acts" in the different States, that the terms would, unless the law was drawn with greater skill than has been exhibited heretofore in such cases. be utterly unreliable.

There is really, however, little prospect of further legislation in the present frame of mind of Congress in support of the civil service law. If we can escape unfavorable action in the shape of riders on appropriation bills, taking certain classes out from under the civil service until their membership is filled, and then blanketing them in, we will have done all that can be hoped for at present. Nor is it true in my opinion that legislation is very much needed. An energetic effort on the part of the Civil Service Commission to enforce the law and the rules sustained as we are at present by the whole power and trend of thought of the Administration, the extension of the competitive system to all classes of the civil service. and the appointment to presidential offices of men who will be as zealous to enforce the civil service law as they will to prevent dishonesty on the part of their subordinates—these things will in the future, as in the past, be the surest preventatives of the making of political The political assessment and the spoils assessments. system are inseparable allies, the former being the product of the latter, and the destruction of the parent evil will soon be followed by the disappearance of its offspring.

An extension of the powers of the Civil Service Commission is to be desired, so that it may investigate cases of pernicious political activity, as well as violations of the law. Less progress has been made in the suppression of pernicious political activity than in, any other branch of civil service reform, and the progress in that direction can be much accelerated by bestowing upon the Commis-

sion the power of investigation and criticism.

The departments have made a large practical advance in recent years in holding that it is a violation of the spirit, if not of the letter, of this law for an official in the presidential class to hold a position upon a committee which is charged with the duty of collecting political ussussitutits. The second duese general take team given the common as particular team of a passional and the common as passional and the common as a passional and the common and the common as a passional and the common and the comm

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Mr. Charles B. Wilby:

The right of an American citizen to do as he pleases and to contribute, if he wants to, to the campaign funds of his political party will be infringed upon by legislatures, at least in my part of the country, with great hesitation.

Our Association has tried frequently to convict people of soliciting campaign funds from federal employees in the classified service, but we have not yet been able to do so in any instance.

The Republican Campaign Committee of our county have thus been deterred from sending their requests for contributions addressed to the Post Office, or to the other offices of the Government Building, where their victims are employed, but they now evade the law by sending their circulars to the residences of the federal servants. These circulars are duly signed by well-known officers of our local machine, but we can not reach them.

Federal employees tell me that if they refuse to contribute, in response to these circulars, they are subjected to all sorts of indignities, put at night work or other disagreeable service, and are in danger of being trapped into some slight dereliction of duty, for which they could be removed under the rules.

It seems to me that the only way by which these offenders can be reached is through the suggestion of Mr. Greene, by changing the law so as to make it an offense to use the mails in any way to solicit contributions. That being the only practical method by which the federal employee can be reached for solicitation, he would thus be relieved from direct coercion and left reasonably free to contribute whenever his enthusiasm for any political cause moved him to do so.

The Best Method of Regulating the Political Activity of Public Employees.

HON. CYRUS D. FOSS, JR., OF THE PHILADELPHIA CIVIL SERVICE COMMISSION.

The problems that confront the friends of the Merit System are seldom either local or exceptional in their character. The obstacles that confront the militant champions of better government, whether in nation, state or city, do not vary much with time or place. While there are particular features from time to time that give an unusual aspect to some local situation, the great underlying abuses, on which are centered the attention alike of the student of political science and the active fighter in the campaign for civic betterment, are the same everywhere and are coming to be well understood. The problem is not only a constructive one to improve the form of government and the personnel of the public service, but also to disarm and so far as possible to drive from the field the natural enemies of the cause for which we stand.

In every campaign against an intrenched political machine there are a number of forces sure to be arrayed on the side of the old order of things. A great corruption fund furnished by the public service corporations, by favored contractors and from the assessment of office-holders; force and bribery and other frauds at elections, so general as to be a byword and so successful as to win many a close election; and finally a well-organized, well-disciplined and experienced political machine, whose membership is recruited primarily from the great army of public officeholders. In these three great forces we find the explanation of the defeat of efforts for better government and of citizens' movements on countless occasions. The initial advantages possessed by well-organ-

ized graft and corruption and fraud are so numerous that private citizens, unskilled in political activity and unrewarded for their services, retire in disgust from the field and leave the management of public affairs to those not interested in their improvement and willing to profit by a continuance of the methods of the practical politician.

The old cry of "turn the rascals out" will appeal for a time and will stir up a community for a brief campaign, but, if permanent results are to be secured in the betterment of governmental conditions, there must be an attempt to destroy the very foundations upon which the power of the corruptionist and the boss is founded.

With the first two of the suggested causes this paper does not deal. The use of money in politics, and the effect of force and fraud upon elections, the writer is not called upon to consider; but I ask your attention to the other problem that confronts us in the elimination of the public officeholder as an asset of the political machine.

From almost the foundation of our government the influence of officeholders in politics has been recognized and deprecated. In 1802, during the administration of President Jefferson, a circular was issued by the heads of the Executive Departments in which it was said:

"The President of the United States has seen with dissatisfaction officers of the General Government taking, on various occasions, active part in elections of the public functionaries, whether of the General or of the State governments. . . . The right of any officer to give his vote at elections as a qualified citizen is not meant to be restrained, nor, however given, shall it have any effect to his prejudice; but it is expected that he will not attempt to influence the votes of others, nor take any part in the business of electioneering, that being deemed inconsistent with the spirit of the Constitution and his duties to it."

The tendency recognized in these orders had in thirty years grown to a national peril, when that watchword "to the victors belong the spoils" was first boldly proclaimed. In recent years this has been uttered with diminishing pride and confidence, and the men and women who have labored in this League believe that to-

day a far more popular sentiment is the one that is hinted at in such expressions as "the competitive system," the merit system," and "the square deal."

What are the inducements that lead men in the public service to give their time and energy to political activity? Political bosses have long used them. Can we in any way destroy their willingness thus to be used or the possi-

bility of their rendering such services?

In the first place we must all recognize that the most effective influence formerly in the hands of the political leader was the power to appoint his willing henchmen to The expectation of reward, the knowledge that appointment had come because of partisan service, and in many cases the sense of personal or party loyalty to those whom the appointee recognized as responsible for his selection,—all these tended to make the officeholder a strenuous worker in the management of his party. It was not fear alone in the case of very many that kept them firmly in line. Loyalty and a sense of gratitude sometimes have been found even stronger motives for adherence to the machine. Further, many officeholders cherish the social ties they have formed in ward committee or ward political club, and do not willingly break them upon entering the public service. The friends of the Merit System have done well in directing their first and chief attention to the entrance to the public service, in order, first, to render it impossible for any political manager to guarantee an appointment to a worker, and, second, to make it perfectly apparent to every appointee that his selection was due wholly, or at least in very large part, to his own merits and qualifications for the position. It has been found that, with the gates up against the possibility of political and personal appointments, it is safe to allow rather a free power of dismissal. The possibility of appointing political friends has always formed the main inducement for turning out political opponents, and there is no question that the careful guarding of the appointments from partisan influence has gone very far to remove public offices from political influence and to free the employees from the domination of the party machine.

To one familiar with the administration of public offices it is perfectly clear, however, that there is quite too much of politics still in them. Most employees do not require a written communication to inform them of the political wishes of their superiors, nor does the official headsman need to approach them with axe in hand before they are ready to perform the political services that they suspect he desires of them. A policeman in a great city may have been appointed after a competitive examination and may know that he owes his position all to his own merit, but he watches very carefully the change in the political atmosphere at the City Hall. If he gauges correctly the direction of the wind and makes his conduct correspond, he finds himself on a pleasant day beat, on a quiet street, or by a railroad station or theatre where unofficial courtesies may be looked for; while, if his guess is wrong or his neck is stiff, he finds himself patroling the Tenderloin in the small hours of the night, persecuted with constant charges of dereliction and of graft, and with his hours of freedom encroached on every week by attendance at court or other extra duties. In the one case. the hope of pleasant work and of possible promotion is constantly in the man's mind to cheer him in the sense of political duty well performed. In the other, the spark of heroism that may have warmed him for a time is in danger of extinction, as he looks forward to recurring charges, culminating at last in reduction or dismissal from the force.

It is not necessary to cite particular instances nor further to amplify the thought that, even with a competitive system well installed, there are still weighty arguments that drive public officeholders into political services from which many of them would be glad to be freed and which some of them at least wholly despise.

Is there any way in which a further safeguard can be erected against this compulsory political activity? Let us examine the attempts that have been made in various jurisdictions. In the Federal Government the limitation of political activity of persons in the classified service has been largely a matter of executive order. These limitations as well as the reasons justifying them are expressed

in brief in a sentence in a letter from President Roosevelt to the Civil Service Commission, dated June 13, 1902. In this letter he says:

"In consideration of fixity of tenure and of appointment in no way due to political considerations, the man in the classified service, while retaining his right to vote as he pleases and to express privately his opinions on all political subjects, 'should not take any active part in political management or in political campaigns, for precisely the same reasons that a judge, an army officer, a regular soldier or a policeman is debarred from taking such active part.'

In the City of Boston the subject has been dealt with

by an ordinace known as the Burrage Ordinance:

*"No salaried officer or employee of the city, not elected by popular vote, shall be an officer of any political caucus or a member of any political committee or convention."

In Los Angeles, California, the subject has been dealt with by a rule, adopted apparently under the authority of the Municipal Charter. The provision on the

subject is as follows:

o "Participation of employees in the classified civil service in partisan politics, except to vote, is contrary to the spirit of the Charter and subversive of the best interests of civil service. And such participation is hereby strictly prohibited. The violation of this rule by a civil service employee shall be sufficient grounds for his removal."

In Pennsylvania the Shern Act, applying only to the

City of Philadelphia, provides:

§ "No officer, clerk or employee of any city of the first class, or of any department, trust or commission thereof, shall be a member of, or delegate or alternate to, any political convention, nor shall be be present at any such convention except in the performance of his official

^{*}Boston City Ordinances, Revision of 1905, Section 26.

^oThird Annual Report of the Civil Service Department of Los Angeles, California, page 87. Rule 7, Section 8.

[§] Pamphlet Laws of Pennsylvania, 1906, pages 20 and 21.

duty. No officer, clerk or employee of any city of the first class, or of any department, trust or commission thereof, shall serve as a member of, or attend the meetings of, any committee of any political party, or take any active part in political management or in political campaigns, or use his office to influence political movements, or influence the political action of any other officer, clerk or employee of any such city, department, trust or commission. No officer, clerk or employee of any city of the first class shall in any way or manner interfere with the conduct of any election, or the preparation therefor, at the polling-place, or with the election officers, while counting the vote or returning the ballot-boxes, books and papers to the place provided by law for that purpose, save only for the purpose of marking and depositing his ballot as speedily as it can reasonably be done; (or) be within any polling-place, or within fifty feet thereof, except for purposes of ordinary travel or residence, during the period of time beginning with one hour preceeding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes, and have left the polling-place for the purpose of depositing the ballot-boxes and papers in the place provided by law for that purpose, excepting only officers of the Bureau of Police, who may temporarily approach or enter the polling-place in order to make any arrest permitted by law, or for the purpose of preserving order, and in each such case only long enough to accomplish the duties aforesaid, after which the said officers shall at once withdraw. Any officer, clerk or employee of any city of the first class, or of any department, trust or commission thereof, violating any of the provisions of this section shall be immediately dismissed by the mayor, or by the head of the department, trust or commission in which he is employed.

Thus, in four different jurisdictions, we have had attempts to limit the political activity of the officeholder by definite rule or ordinance. A comparison of their terms may prove suggestive.

The Federal rule is the result of experience and

evolution. It has been given careful interpretation and limitation, and, while broad and effective, does not limit unduly the rights of the officeholder as a private citizen.

The Boston Ordinance is narrower than the others in its scope. It merely prescribes that no appointive public employee "shall be an officer of any political caucus or a member of any political committee or convention." Other forms of political activity, including attendance at such political meetings, is not restricted.

The Los Angeles rule, in language, forbids the "participation of employees in the classified civil service in partisan politics, except to vote," but its interpretation in a number of instances in which it has been enforced by the discharge of employees has been just and reasonable and indicates that its intention is to follow in large measure the Federal rule.

The Pennsylvania statute is, perhaps, the most remarkable of all. Passed by a Legislature that had been elected by old-time influences, later brought under the goad, however, of a tremendous public sentiment, it not only forbids the public employee to be a member of a political committee or a delegate to a convention, or to be present at their meetings, but also excludes him from "any active part in political management or in political campaigns," and actually prohibits his presence on election day within fifty feet of a polling booth except for the purpose of casting his own ballot or of ordinary travel along the highway.

A more vital thought in connection with these various rules in the manner in which it is proposed to enforce them. Let us not make the mistake of loading our statute books or our civil service regulations with enactments whose language is high-sounding and sonorous unless we put behind them the penalty and the power of enforcement. We must not fail to provide the sting for the whip, and to put it in hands willing to use it.

Violations of the Federal rule may be punished by the appointing officer. The Pennsylvania statute provides that any violation of its provisions shall be followed by immediate dismissal by the mayor or by the head of the appropriate department. The Boston ordinance contains

no express penalty, although it is the opinion of those who have studied it that the mayor would have the power and the duty to dismiss an employee who violated its provisions. The Los Angeles rule alone is enforced by dismissal by the Civil Service Commission. It is submitted that in thus placing the power of investigation and punishment for political activity in the hands of an independent body rather than those of the appointing officer, the rule is made much more effective. Consider for a moment that it is only with the active connivance of an appointing officer that an officeholder can be coerced in politics, and then judge how effective such rules as we have under consideration will be if entrusted for their enforcement to him.

Another suggestion that may have some merit has also been made to the effect that it should be in the power of private citizens, whether by a petition for a quo warranto or otherwise, to initiate proceedings against an offender.

In the Federal Government the impropriety of placing the enforcement of these restrictions in the hands of appointing officers has not always been so apparent because of their comparative freedom from small political influences. I venture to predict, however, that in municipal governments not much value will attach to such rules if they are left for their enforcement in the hands of the appointing power. The same considerations that make the conduct of examinations and the preparation of eligible lists proper functions for an independent civil service commission seem to me to make it desirable that such a body should at least investigate, and possibly also punish, infractions of rules withdrawing officeholders from

I have not touched upon that other important question of the punishment of superior officials for attempting to coerce their subordinates in political matters, as it hardly seems to come within the scope of this paper.

political activity.

I have absolute faith in the righteousness of the Merit System in the conduct of public offices. I believe that it is essential to the purifying of our politics and to the best administration of government. I believe that methods are being evolved daily by the friends of our cause that render more certain its ultimate and complete success. I think that, in the phase of the movement that has been discussed in this paper, "the best method of regulating the political activity of public employees," strong and carefully framed statutes or rules are desirable and will prove in a measure effective. But, here as always, the ultimate appeal is to the reason and the conscience of the general public. That great jury has already pronounced in favor of the Merit System in general terms. I would go to them again, and point out to them how hopeless it is for citizens to attempt to control politics and government in this country if they allow public officeholders to indulge in political activity. The alternatives are perfectly plain. Either private citizens are to be driven from activity in politics and the administration of public offices is to suffer by the partisan activity of the civil servants, or else the latter must be excluded from active participation in politics. Only a settled popular conviction, that will resent activity in politics by any but private citizens, will be sufficient finally to relieve us from the thralldom of the officeholding oligarchy.

DISCUSSION.

Mr. Richard H. Dana:

This last paper has brought out very clearly three points bearing on a former paper, namely, that on Higher Municipal Offices and the Merit System. These points are that the political activity of subordinates is largely not voluntary, but coerced; that coercion is based on the powers of removal, promotion and delegation of work; and that it is the heads of departments that exercise these powers for harm.

If, then, the administrative heads of departments, instead of being appointed for political reasons, are selected through civil service rules, they will no longer have any motive to coerce their subordinates into undue political activity. Have we not, then, through this upward

extension of the civil service rules, if found to be practicable, the most effective remedy for undue political activity among subordinates? A remedy that changes the underlying motives of men seems to me to go a far greater way towards stopping an evil, than merely increasing repressive laws and piling up penalties, and, at the same time, leaving the motives to break these laws still in full force.

Address of President Flavel S. Luther of Trinity College.

(DELIVERED AT THE BANQUET OF THE LEAGUE TUESDAY EVENING, NOVEMBER 20, 1906.)

That we should have our work done by those who, presumably, know how to do it, is a proposition fairly self-evident. Probably those who in the past have opposed what is called civil service reform would admit the validity of this theorem. Men have differed, however, as to the best means of ascertaining the fitness of candidates for official position. The idea that anybody can do anything if he is given the chance is still rather firmly imbedded in the popular mind. That person of tradition who said that he thought he could probably play the violin but had never tried, is typical of a large class. And, seriously, there is something rather fine in that attitude. It makes or has made for that cheerful confidence which dares all things and brings about success by its audacity. Without a dash of that spirit our people would have failed in much that they have accomplished. Nevertheless this charming effrontery often misleads and, as life grows complex, becomes an insult to intelligence. It is the proper spirit in the beginning of community life. It has no place in the highly organized civilization of the twentieth century America.

It has been the great contribution of the civil service reformers that they have insisted upon some demonstration of fitness for office on the part of office-seekers. By this "fitness" I mean manifest ability to do the thing which the public want done. That the civil service examinations have always been the best means for testing this fitness may be questioned—has been questioned. Yet no objector has been able to suggest a really satisfactory

substitute.

I think we may note, in the sober thought of the country, a disposition to extend some of the civil service ideas so as to cover the whole range of officialdom. It is becoming evident that there is no office within the gift of the people, from that of the country justice of the peace to the presidency of the United States, whose duties can be well done without some sort of special training. Without having looked into the matter statistically I hazard the conjecture that the tendency to re-elect satisfactory officials and to promote from lower to higher elective offices is increasing. There are many exceptions; I speak of the general drift as I think I see it. The idea of rotation in office is less dominant than it once was, as the qualifications for official duty are seen to be special, seen to depend upon specialized, professional acquirement.

So I fancy we must admit that the ancient enemies of civil service reform were right when they said that the new cult tended toward the creation of an office-holding class. Our ideas certainly do lead that way. Just as natural evolution has developed a banking class, a preaching class, a brick-laying class, a farming class, a soldier class; so we have found necessary the training of a class fitted for various specialties in public service. If we want our public work well done we must employ men who have learned how to do it. Necessarily they will know less about doing other things and thus they will become an office-holding class. And who cares, so long as we can discharge unworthy employees at our pleasure?

I venture, therefore, to suggest that among the duties of an association like this may be included the cultivation of that spirit which will favor the indefinite retention in elective office of efficient officers and promotion in all public service as fitness is made evident. This principle, if adopted, probably means higher salaries in some of the lower offices. But it means better government.

I now venture upon a subject which perhaps I should not discuss here and now. For a guest to express opinions adverse to the well-known views of a majority of his hosts is of doubtful propriety. Nevertheless I am going to record my disagreement with much that is said from time to time by civil service reformers in regard to political activity on the part of government officials.

I think it not a wise thing to exclude from political activity this large class of men who have exhibited conspicuous fitness for decent citizenship by passing your examinations. Such a course cuts out the best, not the worst, from the councils of the nation over its affairs. think these men should be left absolutely free to take part in all legitimate political activities. The letter-carrier has the same rights and should enjoy the same privileges as the Postmaster General. If the employees neglect their work or use their political energies improperly, discharge them; do not muzzle them. Their opinions, their advocacy of what is right, are too valuable to be suppressed. Truth does not lie at the bottom of a well. Truth broods over the battlefield. Not out of the silences but out of the clamoring of men emerges righteousness. Out of the disagreements of mankind comes the forward movement toward perfection.

Our attitude toward the employees of the government should be something like this: "We expect you to discharge the duty of your office to the best of your ability. Lead a sober and a righteous, and, if possible, a godly life. Having done this, you are free to advocate what-

ever you consider right."

Up-to-date factories have, we are told, boxes in every shop, into which the workmen may drop suggestions for improvements in methods and machines. The government should be equally alert in allowing and encouraging from its employees any activity which will tend to better the service. It should urge its employees to act in politics as any citizen should act. It should urge them to take advantage to the fullest extent of their rights as citizens, not to become the most dangerous of all things, a class apart from their fellows, unconcerned as to the highest interests of our national life.

There is another matter, vastly more important than the foregoing, though related to it, which imperatively demands earnest effort by all who are concerned that "the republic shall receive nothing of detriment," as we used clumsily to translate our Cicero. This is the insistence by the public that citizens holding no office and desiring none shall discharge their public duties. I am about to suggest something which may be laughed at as the ridiculous proposition of an impractical doctrinaire. I suggest the passage of laws making it a punishable misdemeanor for a qualified elector not to vote at every duly ordered election. Of course there are legitimate excuses; these may be provided for. But fine the man who wilfully or carelessly fails to vote. If he doesn't know how he wants to vote, let him cast a blank ballot. But round him up at the polls.

This infringes personal liberty; yes. So do all laws passed in the interest of general welfare. To-morrow, you may be haled to court and be made to testify. You may be put in a box with eleven other men and be made to decide whether a fellow-citizen shall be hanged. You may be made to do police duty. You may be clothed in khaki and set up to be shot at by an alien enemy. Your property may be diminished by lawful taxation or taken away from you at a price decided upon by somebody else. All this can be done, is done, whether you, personally, like it or not. Is it impracticable, then, to do a bit more to compel every citizen to go to the polls and vote when his judgment is asked by the Public? I believe that such a law would do more to ensure a fair election than many of the corrupt practices acts. At the worst it would compel all to give either more money or more brains to the maintenance of the government. Probably all would give that which they have the most of, be it money or brains.

No doubt some of you are reflecting that it is impossible to make men good by statute. Granted; yet statutes if enforced, compel many to give a very fair imitation of decent conduct. I suppose that this same objection was urged against the ten commandments; yet they were set forth by high authority. And, in absolute reverence, I remind you that the founder of the altruistic civiliza-

tion said that he brought to his followers a new commandment. "That ye love one another"—that was the new commandment. We can't make men love one another by statute; but we can make them act as if they did. When they act as if they loved one another men will vote for the public welfare as they see it. And when they continue acting as if they loved one another they will presently come to do that which they have been compelled to simulate.

Address of Hon. Charles J. Bonaparte, Secretary of the Navy.

(DELIVERED AT THE BANQUET OF THE LEAGUE, TUESDAY EVENING, NOVEMBER 26, 1906.)

Mr. Bonaparte said, in substance:

The last speaker (President Luther) has given utterance to some grave heresies; perhaps this is a family trait on his part. I refer to what he said as to allowing the men who keep the country's books and deliver our mails to be as active as they might please to be in politics because we tolerate and, indeed, approve of such partisan activity on the part of the Secretary of the Treasury and the Postmaster-General. I cannot agree with him that such participation in politics is necessary, either to prove their patriotism or to keep it alive. I am the unworthy head of a department of the Government which controls some 40,000 American citizens who are surely patriotic if any class of men in the country can be justly so called. They have promised, indeed sworn, to make any sacrifice, whether of labor or suffering or life itself which may be demanded by their country, and it is only the simplest justice to say that in all cases of need they have kept their promise; yet the Navy is out of politics as thoroughly as any institution could be. Nobody inquires whether one in the service is a Republican or a Democrat, or what he thinks about public affairs, or how he votes. He discharges, without impediment and without inquiry, the duties which the law imposes upon all citizens, but he is not allowed, while paid by the whole country to do the whole country's work, to give his time and thoughts to work peculiarly offensive to half or nearly half of his employers.

It must be remembered, moreover, that the true end

of civil service reform is not to improve the civil service. At first sight this statement may sound paradoxical, but it is literally true. A great improvement in the personnel and in the work of the civil service has undoubtedly resulted from the introduction of the merit system, but this, however important in itself, is nevertheless a byproduct of the reform. The aim of the latter is, first of all and beyond all else, to purify our politics by eradicating a form of bribery which pays for votes or partisan service with employment at the taxpavers' cost and a form of breach of trust which leads those whose salaries are paid by and whose services are due to the whole people to use their offices for personal or partisan advancement. It has been found, by a sad experience, that these evils can be eradicated only by removing civil servants of the Government from the baleful influence of partisan activity, just as it had been already found that, for the same reasons, we must protect naval or military or judicial servants of the people from the like influences. A corrupt civil service corrupts our primaries, corrupts our elections, corrupts our whole government, and we cannot with impunity forget Burke's saving that "there never was long a corrupt government of a virtuous people."

Superannuation in the Civil Service.

REPORT OF A SPECIAL COMMITTEE OF THE NATIONAL CIVIL SERVICE REFORM LEAGUE.

(APPROVED BY THE COUNCIL OF THE LEAGUE, SEPTEMBER, 1906)

PRINTED IN THE PROCEEDINGS BY DIRECTION OF THE COUNCIL.

There is a persistent agitation to provide old age pensions or retiring allowances for the superannuated among the civil employees of the United States. This demand is based on claims that the number of old employees is large, that they render but a small return for their salaries, that the number of them is increasing, and that the assumed growth in number is somehow due to the introduction of the merit system. Before discussing the merits of any of the various remedies so strongly urged by their advocates, let us examine into the alleged facts. To what extent does old age exist in the public service? Is it increasing? How far are the civil service rules responsible for such old age as there may be? What loss is caused to the government thereby, and what effect has the actual operation of the civil service law and rules on the increase or decrease in the number of superannuated in government employ?

As to there being any great amount of superannuation, it may be said that the retention of employees in the executive civil service of the United States is practically no longer than in the service of the great railroads. (1)

40 years and over2 .5 Over 20 years 6.7% 6.9% 9.2% (From U. S. Civil Service Com., 21st Report, p. 29.)

⁽¹⁾ Comparison of length of service of employees in the U. S. Executive Service with that of employees of two large corporations:—

Length of Service

U. S. NYC&HRRR NYNH&HRR

Over 20 years & less
than 30 4.7% 4.7% 6.2%

Over 30 years & less
than 40 1.8 2.2 2.5

Of the employees in the departments at Washington, on June 30, 1904, only 2 per cent. were over 70 years of age. Outside of Washington, in the federal civil service, the per cent. was only 0.8 per cent., and in the whole

executive civil service, 1.2 per cent.(2)

As to the claim that the merit system is responsible for retaining in office even this number of superannuated or inefficient persons, it may be said that the merit system undoubtedly tends to prevent removals for political reasons, but it does not prevent, indeed it specifically provides for, the removal of the incompetent on the proper record of the existence of incompetency. The fact that, in the early and middle part of the nineteenth century, before any civil service law was enacted, complaint was made that office-holders were retained beyond the period of their usefulness, indicates that this retention is not due to the merit system, but to a very natural reluctance on the part of heads of departments to dismiss the superannuated who have rendered faithful service to the government. Referring to the period 1809-1829, Professor Fish speaks of "the retention of men whose usefulness has passed" as an acknowledged fact.(8) In Parton's "Life of Jackson," (Volume 3, page 211) is found the following, referring to 1829:—

"Clerks, appointed by the early Presidents, had grown gray in the service of the government, and were so habituated to the routine of their places that, if removed, they were beggared and helpless."

The North American Review for October, 1867, says:-

"If parts of the public offices thus degenerated into dormitories, other parts of them are nothing but asylums where the aged and infirm luxuriate, as far as their

⁽²⁾ U. S. Civil Service Com., 21st Report, pp. 29-30. N. B. The 22d Report has no data on the subject.

⁽a) "Thus the civil service became a pension fund for its disabled members. This policy would not have been so disastrous if the notion had not extended. Instances have been related already where civil posts were bestowed to reward distinguished success in war or politics."-C. R. Fish-The Civil Service and the Patronage, Harvard Historical Studies, Vol. XI., p. 77.

scanty salary permits, in a kind of official hospital of invalids, constituting a formidable, though venerable, reserve force of incapacities."

It is also interesting to note, with reference to the bearing of the civil service law upon superannuation, that in Washington, where the percentage of employees over 70 is greatest, less than one-half entered the service through civil service examinations. Outside Washington, where the percentage of superannuation is so much less, nearly three-fourths entered through the civil service

methods.

Nor is it true that the number of employees over 70 years of age is rapidly increasing. In 1893, the first year for which we have official statistics, there were just 2 per cent. who were 70 years of age and over in the departments at Washington; there were 2 per cent. in 1900, 1.97 per cent. in 1902 and 2 per cent. in 1904, at the end of eleven years. (4) By the latest report made in May, 1906. the percentage is about 2½ per cent. The average age in the service in Washington is 41.53 years, and outside, it is 37.88 years. The average age, especially in the Washington departments, is much increased at present by the large number of veterans of the Civil War, who have had special preferences in appointment. Their age in 1904 was from 50 to 82 years. (5) Considerably more than half of those in the service over 65 years of age are veterans. (6) By far the greater part of those in the service over 70 years of age entered without examination. Only 5.1 per cent. of those over 65 years of age entered through competitive examinations under civil service rules.(7)

It has been sometimes said in reply, that the civil service law has been in operation but twenty-three years,

^{(4) 20}th Report of the U. S. Civil Service Commission, p. 168. (6) 21st Report of the U. S. Civil Service Commission, pp. 29-30.

⁽a) Special Report of the U. S. Civil Service Commission to the President, May 28, 1906. 934 veterans to 692 civilians over 65 years of age.

⁽⁷⁾ Special Report of the U. S. Civil Service Commission to the President, May 28, 1906, p. 1.

that the average age of entrance is only twenty-eight, that it will be still some nineteen years before very many of those, who thus entered, are 70, and that from that time on superannuation will increase. As a matter of fact, those who enter by the civil service examinations do not. as a rule, remain long in the service. The appointees are picked persons, and after some half dozen years in the service, as they find promotion slow, and better opportunities in business life, official complaint is made that they resign in altogether too large numbers.(8) The resignations alone, in the competitive service, for the year ending June 30, 1905, amounted to very nearly 6 per cent. This is four times the percentage of resignations from the service ten to twenty years ago. Then the yearly percentage of resignations was about 1.5 per cent.(9) deaths, resignations and removals for the year 1904-5 were over 8 per cent.,(10) indicating enough separations from the service to change the whole personnel, on the average, in 121/2 years. In the civil service of the Commonwealth of Massachusetts, where there has been, perhaps, the most permanent service, for the last sixty years, of any in the United States, there is practically no superannuation in the parts subject to civil service rules. On the other hand, three conspicuous cases of mental incapacity from superannuation recently occurred in Massachusetts, but all three were in higher positions outside of civil service rules, two elective and one appointive on four-year terms. Re-election and re-appointment took place after incapacity was apparent, thus furnishing another illustration that superannuation exists outside of the operation of the civil service rules. There is, on the whole, every reason to believe that the amount of superannuation will decrease rather than increase as the veterans die off and the old persons, appointed as old

^{(3) 22}d Report, U. S. Civil Service Com., p. 177; also remarks of Secretary Bonaparte on the subject.

⁽a) 14th Report, U. S. Civil Service Commission, p. 502.

^{(10) 22}d Report, U. S. Civil Service Com., pp. 248 & 253, com-paring Tables 20 & 25. Total deaths, resignations and removals, 13,304; total average service for 1904-05, 162,050.

persons, (most of them without civil service examina-

tion) have departed.

As to the government's loss from old age service, though 2 per cent. of the employees in the departments at Washington are over 70 years of age, it does not at all follow that they are all incompetent. According to a special report of the United States Civil Service Commission, made to the President of the United States, as to the efficiency of all United States civil employees at Washington, based on returns made from the departments, it appears that those over 70 years of age do about three-quarters of the "maximum quantity" of work "performed by a thoroughly efficient employee." The loss in salary actually paid, over what the salary would be if adjusted to work performed, is small. (11)

It therefore seems that there is a very small percentage of superannuation in the public service, that there is very little loss to the government, that there is hardly any increase in the old age of the employees, that the civil service law, in its practical operation, does not tend to increase superannuation, that a very large proportion of such superannuation as exists is caused by the special preference given to the civil war veterans, and that the prospects are that there will be, in the end, less old age than there is at present in the depart-

ments at Washington.

The facts we have thus briefly summarized can easily be verified. They demonstrate that, so far as the public interest is concerned, there is no occasion for the enactment of any special measure whatsoever on the subject

of superannuation.

As far as we have been informed, the persons chiefly urging old age provisions are on the one hand those politicians who oppose the civil service law, and who are exaggerating the need of pensions as an argument against that law, or those who are misled by them, and, on the other, the older clerks, who, while they have been extremely fair in their actual statements, undoubt-

⁽n) Special Report, U. S. Civil Service Commission to the President, p. 3.

edly feel the need as applied to themselves, more than it would be felt as applied to the government service at

large.

On the mistaken assumption that there is already a large and growing amount of superannuation in the public service, and that some remedy must be promptly found, various measures have been proposed. These may be divided into two main classes (1) the outright civil pension list, (2) an old age pension fund based upon assessments of the salaries of government employees.

The outright civil pension list has secured but little support. In other countries it has been a source of great abuse. There is always a tendency to favor the employees at the expense of the government, and it is practically impossible to cut down a system once put in operation. In so well governed a country as England, the civil pensions amount to 16 per cent. of the salaries paid for active service. If we should establish a civil pension list on the same basis as the English, it would cost nineteen millions a year, even if limited in its application to those in the classified civil service, and if applied to the whole service, twenty-five millions. Either of these amounts is many times any possible loss to the government through the superannuation of its employees. This loss is about \$400,000 in the departments at Washing-(See Special Report of the United States Civil Service Commission.) There are nearly five times as many classified United States employees outside Washington, but only two-fifths as large a per cent. are over 70, therefore there are outside Washington twice as many over 70. On the same basis of efficiency, the loss outside Washington would be \$800,000, or, in the whole classified service of the United States \$1,200,000.

The other class of plans involves an old age pension based on assessments of salaries of employees. It is claimed that, in this way, a fund can be raised, without cost to the government, which will take care of the superannuated. It would require but reasonable assessments upon the salaries of those hereafter coming into the service to create a fund that would provide pensions for such of these employees as should reach the retiring

age in the government service. Such plans have proved successful in operation. (12) But none of the measures thus far proposed has been of this character. All have contemplated the immediate pensioning of all those already in the service who have reached the retiring age, or they have postponed the commencement of such pensions not more than three years from the enactment of the law. In general, any plan of uniform, or "flat rate" assessments, to begin practically at once to take care of the aged, is a great injustice to the younger employees. The old will receive support after they have paid but a few years, and can pay but a few years more, even if assessments are continued on the retirement receipts. The young will have to pay a much larger sum from their salaries than would be required for their old age alone. If, by any chance, the fund should prove to be too small, that would transpire only many years hence, when those now aged would have received their full allowances and passed from the stage. The others, the present younger employees, who would have borne the great brunt of expensive assessments, would thus be the ones to suffer. unless the government made up the deficiency.

The natural opposition of the younger men to the heavy assessments required by this plan is attempted to be met by holding out to them the prospect of earlier promotion, with a consequent increase of salary. Analysis shows that this prospect is somewhat illusory. The average salary of government employees over sixty-five years of age in the classified service in Washington is only \$1,213.76, and one-third of those over sixty-five years of age have salaries less than \$1,000 a year. (13) When we consider further that, in any event, those over sixty-five years of age will soon die or be obliged to retire, and that the many years' accumulation of old employees

⁽¹²⁾ See 20th Report U. S. Civil Service Com., pp. 156-165, for accounts of various plans of the kind.

⁽¹⁸⁾ See Special Report of the U. S. Civil Service Commission, p. 3. The average salary of all U. S. civil employees in the District of Columbia is \$1,071 (p. 139, 22d Report, U. S. Civil Service Com.), and the average salary of "clerks, copyists, stenographers and typewriters" is \$1,241.87 (p. 149, 22d Report, U. S.

shows only 1.2 per cent. over seventy (14), the actual net increase in salary to the younger employees through hastened promotion will not be very large, and will come to but few.

In case the fund should ultimately prove to be insufficient, the experience of England is instructive. There the retiring fund, based on assessments, was started in 1829. By 1857 it had been proved to be entirely inadequate, and the government was practically forced to assume the burdens which the fund could not sustain. Thus began the English civil pension list.

The plans thus far proposed for an old age pension fund created by assessments on the salaries of employees may be divided into two general classes, one by which there is, the other by which there is not, in case of death, resignation or removal, a refund of the assessment paid.

Of the plans providing for such refund, the report of the United States Civil Service Retirement Association

of March 9th, 1903, says:—

"The reports of the actuaries * * * show that to retire the superannuated and disabled in accordance with any of the plans heretofore considered by the committee, will require the assessment of a very large tax on the government employees, a tax so large, in fact, that it is considered by the committee inadvisable, even at the most favorable rates shown by the reports, to draft a measure based thereon."

Page 6 of the report shows that the plans considered provided for refunds in case of separation from the service before the retiring age. The 20th Report of the United States Civil Service Commission has considered the same subject and has made it entirely clear that the cost of any retirement scheme which provides for the

Civil Service Com.). Not every vacancy in the higher grades is filled by promotion from the lower. For example, a doorkeeper is not usually fitted to be a clerk or copyist, still less a stenographer, while a clerk or copyist may not be fitted for an executive position. In such cases, the vacancy is filled by original appointment.

⁽¹¹⁾ In the executive civil service of the United States throughout the country. See page 2 of this report.

return to the employee or his estate, of his assessments, upon separation before the retiring age is prohibitive. (15)

A typical bill of this sort is the Perkins Bill (U. S. Senate, No. 6194) introduced last May, an identical bill being at the same time introduced in the House of Representatives (No. 19,375). These bills have been officially approved by the United States Civil Service Retirement Association, and are receiving its support. The scheme provides for retirement pay after 70, and on incapacity before that age, and also for refund on separation from the service. To meet these requirements, an assessment of 5 per cent. on all salaries is provided. A report made by a retired Treasury official, now practicing law in Washington, estimates that this assessment is sufficient; but this estimate seems wholly inconsistent with the more reliable and complete calculations contained in the 20th Report of the United States Civil Service There (p. 176) it is estimated that a Commission. scheme very like that in the above bills requires an assessment of 12.6 per cent. on salaries.

There are, to be sure, some differences in the Perkins Bill, yet, after all allowances, it seems impossible that the 5 per cent. assessments can be much more than half of what would be required. One chief difference is that, in the plan of the Civil Service Commission's 20th Report, the rate of assessment applies only to those now in the service, a lower rate being contemplated for those who enter hereafter. The Perkins Bill makes future employees contribute towards the extra expense of caring for the present old employees who have not been contributing in the past. Possibly the younger employees now in the service might assent to larger assessments than their fair share; but as to carrying the scheme forward with this extra burden, it seems to us to open a pitfall. Not only is this extra burden unfair to the new-comers. but it will tend to discourage their entering the government service, for, should this bill become a law. they

⁽¹⁵⁾ See Table on page 173, and the "flat rate" estimates on page 176. The whole subject of superannuation is quite fully treated from page 156 to page 177.

will have to contribute more than they would if a new fund were being started for themselves and those coming after them. In order then, to be fair to the new-comers and to induce them to accept office, the government will surely be called on to reduce the assessments and make up the deficit, or to increase salaries sufficiently to cover the difference.

But, apart from its expense, any retirement scheme which provides for refunds is very objectionable, because it puts a cash premium upon resignation and offers a great temptation to leave the service to those still young and capable enough to get outside employment,—the very ones the government would like to retain, but who would have many years to wait for an old age benefit. Take, for example, one entering the service at the age of twenty; after fifteen years' of service, he would be thirtyfive years of age, with thirty-five years still to wait for an annuity, and a bonus is offered him of three-quarters of his average year's salary(16) if he will resign and leave the service. On the other hand, those too old or incapable to get outside work, with but few years to wait before receiving an annuity, the least useful to the government, and the most burdensome to the fund, would stay on.

If, however, no refund is made in case of death, resignation or removal before the retiring age is reached, the advantage is wholly with those who survive and remain in the service. It may well be asked, should a great, rich government like ours get rid of its superannuated servants, free of expense to itself, and by a system which is so unfair to the estates of those who have died in its service? The claim that the dead man's widow and orphan should have at least what he has actually paid to the fund would be irresistible. The fund, with this extra burden, would soon prove too small, and the government would be called on to make up the deficit. That is the trouble with putting assessment funds in the hands of the government. Eventually, no matter what may be said at the outset, the government

⁽¹⁶⁾ This is on a 5% basis. If larger assessments are required, as seems probable, the bonus will be corresondingly larger.

will be held morally responsible, if the fund fail to meet all original expectations. It is for this very reason that many of those favoring these assessment schemes are particularly desirous that "Uncle Sam" shall be made paymaster.

As an illustration of how a plan may be put forth, apparently sufficient, and yet sure to fail, we may refer to the Brownlow Bill, introduced in Congress January 21, 1906,(17) and the report on the same by a government official. (18) The Brownlow Bill, besides levying a 3 per cent. assessment, provides for a contribution to the retirement fund of 1-12 of the first year's salary in case of original appointment, and 1/4 of the first year's increase of salary in case of promotion. The resignation of an employee in the highest grade, it is claimed, will be followed by a series of promotions all along the line, and by one original appointment at the entrance. Thus each resignation increases the fund by special assessments for several promotions and one new appointment. In addition to increasing the fund, each resignation, made before the age of 70, will take away one person who might, but for the resignation, have arrived at the age of 70 (the pension age), and so will postpone the call on the fund, since the average age of new appointees is only twenty-Thus resignations work in two ways for the benefit of the fund. They diminish the number who would arrive at seventy, and they also increase the fund.

The calculation made in the report above referred to as to the working of the scheme set forth in the bill assumes that resignations, deaths and removals will continue at the large recent rate, namely 6 per cent. Removals and resignations make up the larger part of this 6 per cent.; the deaths are only calculated at ½ of 1 per cent. (See the Report.) But as to removals, is it at all probable that the present rate of removals will continue when each removed employee will suffer, in addition to the loss of his position, all his contributions to the

^{(17) 59}th Congress, First Session, H. R. No. 13,658.

^{(10) 59}th Congress, First Session, S. Doc. No. 509.

pension fund? If, through kindness of heart, there are now too few removals, will they not be much fewer in number when removal will inflict so heavy a penalty? Where the government employee deposits each year a sensible proportion of his earnings with his employer, to build up a fund which shall protect him in his old age, will not the kind hearted employer hesitate more than ever to dismiss an employee from his service before he is entitled to the benefit?

As to resignations, is it not contrary to our knowledge of human nature to suppose that each assessment paid by an employee will not tend to make him more tenacious of his position? What reasonable ground, then, is there for the assumption in this report that, if the Brownlow Bill were law, government employees would continue to resign at the same rate as now? Certainly no one within ten years of the retiring age would resign. As a matter of fact, "few die and none resigns" under such a pension system. This is borne out by the experience of the Police and Fire Departments in cities which provide pensions for policemen and firemen. In Boston, for instance, the resignations are at about 1-6 of the rate obtaining last year in the United States civil service. Deaths, resignations and removals, all taken together. in the Police and Fire Departments of Boston, are at about 1-3 of the rate recently obtaining in the United States civil service. (19) If, under the operation of the Brownlow Bill, the percentage of deaths, resignations and removals should be at a rate sensibly less than the one assumed in the calculation of the report referred to. the provisions of the bill would prove inadequate by many millions of dollars.

In passing, it might also be pointed out that clause 2 of the Brownlow Bill provides for payments from the pension fund for those "totally disabled" ("not" as a

(19)	Police and	1 Fire Depa	artment	s of	Boston:	
	Total N	umber,				2,115
	Number	pensioned	during	year		27
	,,	died	,, -	• ,,		17
	"	discharged	, ,,	,,		12
	,,	resigned	"	••		21

"result of their own vicious habits"), though under 70 years of age. The cost of this has been provided for only in a supposed surplus. Apart from any decrease in removals and resignations, this provision, in carried out, might swamp the fund, unless the margin should turn out to be fully as large as calculated. It would at least jeopardize the "factor of safety."

A final difficulty in any of these plans would be to determine its limits. Shall provision for superannuation apply to all branches of the service, or only to those which are under civil service rules? If it applies to all branches, shall it include laborers? But if it applies only as far as the civil service rules apply, will not each extension of the rules involve a readjustment of rates as new classes of occupations with new risks are included, and in which assessments will not have been made prior to the extension?

As we pointed out at the beginning, the percentage of superannuation in the public service is so slight as to be, on the whole, negligible, and the tendency of the operation of the civil service law and rules is rather to diminish than to increase the number of aged men in government employ; but if any system of compulsory old age provision is deemed necessary, the Australian system, adopted in Victoria in 1890, seems to have many advantages. There new appointees to the civil service are required to take out deferred annuity policies during the period of probation, as a prerequisite to final appointment. The policies are made non-assignable and non-attachable.

The cost of an annuity payable at seventy years of age and over, at 60 per cent. of the salary, to one entering at twenty-eight (the average age of entrance under the competitive system) is 2.7 per cent. of the salary a year. For example, it would require \$27 a year to secure \$600 a year at and after seventy, or 2.7 per cent. of a \$1,000 salary.(20)

These policies, as in Victoria, should be deposited with

⁽²⁰⁾ It is possible that special rates below this may be obtained from the insurance companies, as they will be saved the expense of solicitation, which adds much to the cost of ordinary insurance.

the government while the assured is in the government service, and on resignation or removal, he can take his policy with him and continue it, or exchange it for a

paid-up policy pro rata.

We learn from some of the large insurance companies that they are willing to make sufficient deposits of good investments with the United States Treasury to secure these annuities, and that they would welcome federal supervision. If the assured wishes to add other features to his policy, such as payment at death, or in case of sickness or accident, he can do so at usual rates.

In this system of private arrangement with companies, there is no chance of loss, no inadequacy of a fund which the government will be called on to make up, no danger of a pension lobby, and no tendency to make the office

a property right.

The objection that this plan does not care for the present old employees, and that it will not come into general operation for forty-two years or so, is the same objection that lies to any plan that does not contemplate commencing at once the payment of pensions. And this objection, if it be one, would be equally valid against every conservative method of providing old age funds, such as large private corporations have adopted.

If the Australian plan be put in force, it would seem advisable to leave the details of management with some board, such as one composed of the Civil Service Commission and some selected government officials of large experience. The retiring age might be different for different employments. For example, in the railway mail service, a man might become superannuated long before

he would cease to be a good bookkeeper.

It is possible that the Australian plan might be put in operation by executive order. Under Section 1753 of the

United States Revised Statutes:—

"The President is authorized to prescribe such regulations for admission of persons into the civil service of the United States as may best promote the efficiency thereof and ascertain the fitness of each candidate in respect of age, health, character, knowledge and ability," etc. A regulation requiring such insurance as a prerequisite for admission into the service would certainly "promote the efficiency thereof" as the employees became old.

As a temporary expedient, to cover the cases of those now in the service, a record of the amount of work done by all employees over 65 years of age might be kept, just as was done by the departments for the special report on efficiency before referred to, and then the pay be docked pro rata, in proportion as the work done has fallen off from "the maximum quantity performed by a thoroughly efficient employee." This would, theoretically at least, save all loss to the government. It may be objected that kindness of heart would induce those in charge to rate the work done by old men above its actual proportion. On the other hand, it would be much easier to dock pay than to turn the employee out altogether.

Again, it may be truly said that attempts at employing inefficient labor at low rates have not proved profitable. But these have been attempts, as a rule, to employ pauper labor, while these employees have not by any means the defects attributable to that class of workers. They are well trained in official life and have acquired industrious habits. It is only partial failure from old age that prevents their doing full work. Nor is it a case of importing new persons who are inefficient into the service, but only of using those who are already there. In the cases of some executive heads of bureaus, where youth and energy are required, it may be necessary to "demote" as well as cut salary, and this may be embarrassing in some cases. If it is too embarrassing to the employee, he can resign. If he needs the money sufficiently, he can submit to that which is no disgrace, but only a recognition of failing powers.

We may summarize our conclusions as follows:

- (1) The retention of employees in the civil service of the United States is no longer than in the service of the great railroads.
- (2) Only 1.2 per cent. of the employees in the executive civil service throughout the country are over seventy years of age.

- (3) The number of these is not increasing.
- (4) The tendency of the civil service law and rules is to decrease the number of old employees.
- (5) The separations are enough to change the whole service, on an average, once in 12½ years. By far the greater part of the resignations are among the competitive appointees seeking better places outside.
- (6) Only 5.1 per cent. of employees now in the service who are over 65 years of age entered through competition by examination.
- (7) Those over 70 do three-fourths of the maximum quantity of work performed by a thoroughly efficient employee.
- (8) The government's loss from inefficiency of its employees now over 65 years of age, expressed in salary, equals only \$1,200,000 a year.
- (9) A civil pension list, on the English basis, would cost \$19,000,000 a year for the classified service alone.
- (10) Civil pension systems have been sources of great abuse elsewhere, and do not receive popular support in the United States.
- (11) Old age provisions, based on funds raised by forced assessments of employees are dangerous. All those yet proposed are quite sure to be inadequate in the end, and if the United States government is made the trustee, doubtless it will be compelled to make up the deficit, and will thus repeat the history of the English civil pension list.
- (12) Any pension system tends to make office a property right of the incumbent.
- (13) A pension based on assessment involves the two following dilemmas:—
- (a) Either it applies only to those entering the service hereafter, or to the present force as well. If the former plan is adopted, the government has no advantage over a mutual insurance company. If the latter, then the younger men of the civil service are unjustly burdened for the benefit of the older.
- (b) Either it involves a refund upon death, resignation or removal from the service, or it does not. If the refund is made, the money required is obviously more

than could be raised by any reasonable assessment. It none is made, an injustice is done to the families of those who may die before the age of retirement.

(14) Thus all of the workable assessment plans involve either a simple system, which could as well be carried out by a mutual company, or considerable injustice in their execution, an injustice which is sure to lead to demands upon Congress to subsidize the fund.

We therefore recommend that, if any enforced provision for superannuation be deemed advisable, it take the Australian form of a deferred annuity policy, which candidates for office shall be required to take out in some company before final appointment. As this would not apply to those who are at present in the service, we recommend that a record be kept of the amount of work done by employees over sixty-five years of age, and that their salary be reduced in proportion to the amount by which their work falls short of that of a thoroughly efficient employee. This would be at once fair to the government, and humane to the office-holders.

Respectfully submitted,

Horace E. Deming, Richard Henry Dana, Henry W. Farnam, Henry W. Hardon, Lucius B. Swift.

ORGANIZATION

OF THE

National Civil Service Reform League.

CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

With the approval of the Council the Secretary may organize Correspondence Committees, of not less than three members, for the promotion of the work of the League in localities where there is no Civil Service Reform Association;

the members of such Committees shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be

chosen, and may be removed, by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be ex-officio members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

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ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

ARTICLE VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

- § 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.
- § 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.
- § 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.
- § 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.
- § 5. The order of business at each meeting of the Council shall be:
 - r. The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

- 2. The admission of new Associations.
- 3. Statement of the Treasurer.
- 4. Report from the office of the Secretary.
- 5. Reports of Standing Committees.

- 6. Reports of Special Committees.
- 7. Miscellaneous business.
- § 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:
- (1) A Committee on Finance, to consist of not less than nine members;
- (2) A Committee on Publication, to consist of at least three members; and, ex-officio, the Secretary and the President of the League; and
- (3) A Committee on Law, to consist of at least four members, and, ex-officio, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occuring in any one of them may be filled by the Chairman of the Council.

- § 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:
- (1) A Committee on Nominations, to consist of six members and, ex-officio, the Chairman of the Council.
- (2) A Committee on Resolutions, to consist of six members, and, ex-officio, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

- (3) A Committee on Report and Programme, to consist o two members, and, ex-officio, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.
- § 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.

PROCEEDINGS

AT THE ANNUAL MEETING OF

The National Civil Service Reform League

HELD AT

BUFFALO, NEW YORK, NOV. 7 AND 8, 1907

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

PUBLISHED FOR THE
NATIONAL CIVIL SERVICE REFORM LEAGUE
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ANNUAL MEETING

OF THE

NATIONAL CIVIL SERVICE REFORM LEAGUE.

NOVEMBER 7 AND 8, 1907.

PURSUANT to a call duly issued, the Twenty-seventh Annual Meeting of the National Civil Service Reform League was held at Buffalo, New York, the 7th and 8th of November, 1907. The following delegates from Civil Service Reform Associations and Auxiliaries were in attendance during the several sessions:

Buffalo: R. B. Adam, Frederic Almy, Thomas Cary, Dr. Almon H. Cooke, George G. Davidson, Jr., Dr. Bradley Dorr, Stephen J. Galvin, Edward C. Hard, Rev. R. V. Hunter, Frank M. Loomis, John Lord O'Brian, John B. Olmsted, Roderick Potter, O. C. Richardson, George A. Ricker, Charles B. Sears, Walter J. Shepard, George R. Sikes, T. Guilford Smith, Henry W. Sprague, Maurice C. Spratt, Franklin D. L. Stowe, Dorr Viele, Sheldon T. Viele, Roy Smith Wallace, Charles B. Wheeler, Frank F. Williams, Ansley Wilcox, William Burnet Wright, Jr.

CAMBRIDGE: R. H. Dana, E. H. Goodwin.

CHICAGO: Egbert Robertson.

CONNECTICUT: Charles G. Morris.

Indiana: Hon. W. D. Foulke, H. J. Milligan.

LUZERNE COUNTY: W. J. Trembath.

MARYLAND: Hon. Charles J. Bonaparte, Philemon H. Tuck.

Massachusetts: R. H. Dana, S. Y. Nash, W. W. Vaughan.

New Jersey: E. K. Sumerwell.

NEW YORK: Horace E. Deming, Albert de Roode, A. Leo Everett, R. W. Gilder, E. H. Goodwin, T. J. Skuse.

PENNSYLVANIA: George Burnham, Jr., Hon. Cyrus

D. Foss, Jr., John F. Keator, Fullerton L. Waldo.

BUFFALO WOMEN'S ASSOCIATION: Miss Elizabeth Hirshfield, Miss Matilda Karnes, Mrs. Andrew Kauth, Mrs. Porter Norton, Mrs. Richard K. Noye, Jr., Mrs. John B. Olmsted, Mrs. De Lancy Rochester, Mrs. Ellen G. Ryerson, Mrs. Henry Ware Sprague, Miss Sarah L. Truscott, Miss Frances Wilcox.

Women's Auxiliary of Massachusetts: Miss Eliz-

abeth D. Bennett, Miss Marian C. Nichols.

Women's Auxiliary of New York: Miss Emilie J.

Hutchinson.

In response to invitations issued by the League to municipal reform associations and to other bodies interested in the reform of the civil service, delegates were present from a number of such organizations as follows:

NATIONAL MUNICIPAL LEAGUE: Hon. Charles J.

Bonaparte, Horace E. Deming.

Indianapolis Commercial Club: H. J. Milligan. Cincinnati Business Men's Club: Alfred K. Nip-

pert.

INVITED GUESTS: Hon. James N. Adam, John C. Birdseye. Hon. Charles J. Bonaparte, Hon. R. C. E. Brown, Hon. C. E. Buell, Hon. George G. Davidson, Jr., A. P. Davis, Professor John A. Fairlie, Charles S. Fowler, Hon. Henry F. Greene, Hon. Charles E. Hughes, Hon. Charles F. Milliken, Pickens Neagle, M. K. Sniffen, Frank A. Spencer.

MEETINGS OF THE LEAGUE.

THE headquarters of the League during the meeting were at the Iroquois Hotel, Buffalo, New York. The proceedings at the sessions of the League, commencing on the afternoon of November 7, were as follows:

FIRST SESSION.

IROQUOIS HOTEL,

THURSDAY AFTERNOON, NOVEMBER 7.

THE League convened at 2:50 P. M. In the absence of the President and Vice-Presidents, the Chairman of the Council, Mr. Richard H. Dana, presided.

The minutes of the last Annual Meeting having been

printed and distributed, their reading was omitted.

Hon. James N. Adam, Mayor of Buffalo, delivered an address of welcome, to which Mr. Dana, Chairman of the Council of the League, made response.

The following reports from the Associations composing the League and from the Auxiliaries were then read:

Mr. Walter J. Shepard submitted the report from the Civil Service Reform Association of Buffalo:

The association has had a very quiet year. The fact of the existence of the present civil service commission of the city made the more quiet time for the Civil Service Reform Association. I am very glad to state, because it can be stated truthfully, that we have one of the best, if not the best, commission that the city has ever had. Great credit is due to the Mayor for the appointment of this commission; great credit is due to the members of this commission, who give it the time and thought and devote a great deal of very active and hard work to carrying out the law. I can state that the commission enjoys the confidence of the community. Most of those—many in Buffalo at least, are not aware of the fact that

¹ Printed in full at page 100.

some ninety per cent of all the employees of the city, outside of the department of instruction, come under civil service rule. The public school teachers have a classified list of their own; there is a board of school examiners; and they don't properly come under civil service rules, but the great mass of public employees are subject to these same civil service rules. No fear or favor is knowingly shown. As a public employee myself I can testify to the character of the lists of clerks that have been submitted to the department with which I am connected, and so far as I am aware the appointments made from this list have been made by the various heads of departments with the intent of selecting the very best of the three names that have been certified to the department. That is a general rule. There are some exceptions to this rule. The local commission has had some differences with some of the departments. There are some cases now in courts to be litigated and they will undoubtedly finally decide it in a way, we believe, to be just and proper and in accordance with the civil service law.

I think that about covers the subject. There are many members of our association who are not members of the executive committee and who have paid their dues for years who sometimes wonder what the association is doing. I might state that our worthy treasurer sent a young man around a year or two ago to collect some dues. The young man was of a kindly, simple nature, and he called upon one member of our association and the man said to him, "Why, look here, I have been paying my dues for a number of years; what do I get for it? Just tell me what I get for my dues?" and the simple, confiding young man said, "Well, you get a receipt." I think, however, that it is well said that the members of the association of Buffalo have gotten more than a receipt for the dues they paid.

Mr. Egbert Robertson submitted the report from the Civil Service Reform Association of Chicago:

The work of the Chicago Association has been to a considerable degree consolidated with that of the Illinois Civil Service Association and I will try to make a report on the work of both associations at the same time. There

are two general fields in which the associations have attempted to carry on some work—first, that of being in touch with the administration of the laws that exist and the other that of attempting to influence a progressive development of civil service legislation in the state. The first branch of the work has been fairly successful, I should say. The city commission is thoroughly in sympathy with the city administration, and is an honorable commission and one that is thoroughly acquainted with the civil service law and entirely efficient. The same might be said of the county commission and of the state commission, of which Mr. Moulton, now a member of the Council of this organization, is the president.

Cases, of course, arise in which various members of the departments attempt, by means of the courts, to overrule decisions of the commission. Those have in many instances gone to the Supreme Court, and have uniformly. I think, resulted in fair decisions on the civil service law. The other field, that of attempting to influence progressive legislation in the way of civil service, has been very disappointing during the past year. There have been three pieces of legislation which have come up, which have been of considerable importance. One of these, involving changes in the state civil service law, designed principally to benefit the administration and make it more efficient along the technical lines, the state commission succeeded in getting through the legislature. The Cook County civil service bill which has been the most important piece of legislative work in the state, in the civil service field, failed of passage. As at present constituted the county civil service law is included in the general act creating the board of county commissioners in the various counties, and it is therefore held that the law applies only to those positions in the county offices which are under the jurisdiction of a board of county commissioners. That leaves at least half, probably more than half of the officers in Cook County, the county in which Chicago is situated, entirely out of the jurisdiction of the civil service law. The employees of the clerk's offices, the treasurer's office, the recorder's office and several others of the large county offices are still appointed

under the spoils system, and as was exemplified in the recent election, are discharged on the accession of the new administration and are appointed on the say-so of the various county central committeemen of the party in power, and are appointed strictly for political service and very little on the basis of merit. To remedy that condition a bill was introduced at the last session of the legislature creating a county civil service commission, independent of the board of commissioners so far as its jurisdiction was concerned. That bill was supported by practically every civic organization in the city of Chicago and by a number throughout the state. It was drafted under. the immediate supervision of Mr. Brundage, the chairman of the board of county commissioners, and was in every way an admirable piece of legislation. Unfortunately the committee of the legislature seemed selected with a view of preventing anything of that sort passing the legislature, and although delegations of citizens from various places in the county, including representatives of the present county commission, of the Civil Service Reform Association, the Union League Club, the Hamilton Club, the City Club,—practically all the civic organizations in the city, appeared more than once before that committee, they were unable to induce it to report the bill. The result was that it never got past first reading and reference to the committee, and there is very little prospect of its going through on the adjourned session which is now attempting to legislate down at Springfield in relation to the primary law.

The third piece of legislation was one about which there has been a good deal of difference of opinion among believers in civil service reform,—I refer to the new charter of the city of Chicago. That involved one or two points of which most of the members of the association have declared outspokenly in favor, namely, a little freer exercise of the right of discharge by the heads of departments and a little more leeway in the matter of promotional examinations, and those provisions were excellent. There was one extremely vicious provision giving a preference to Spanish War veterans which was included in the charter. As you all know, probably, the charter

failed of ratification by the voters and so the question has become of no importance so far as that is concerned, and any endeavor to improve the administration will have to be gone at in some other way.

The association has done not a great deal of work that we can tell about. It has kept, I think, very well in touch with the administration in the different departments and it has exercised some good influence perhaps in the way of carefully upholding the principles of the civil service law as already existing in the state.

Mr. Charles G. Morris submitted the report from the Civil Service Reform Association of Connecticut:

Connecticut during the year has passed through the throes of a legislative session at which amendments were offered to the city charters of Hartford, Bridgeport and New Britain incorporating civil service provisions. The resolution amending the charter of the city of Hartford was the most comprehensive, and provided for the establishment of a civil service board with ample powers and duties. This resolution was passed unanimously by both boards of the common council, and it was the expressed wish of the Hartford municipal government that the resolution should pass the legislature as drafted. There were many active politicians in Hartford, however, who were opposed to it, and two sections were added, one of which practically exempted all policemen from the operations of the rules for the next twenty years; the other required a referendum vote at the next mayoralty election in April, which was intended to inject a new issue into the campaign and draw the opposition of many city officials, including members of both the fire and police departments. Upon disagreeing action between the senate and the house, the resolution went to a committee of conference, consisting of Hon. Patrick Mc-Govern, of the senate, and Messrs. Hooker and Smith, who were the two Hartford representatives. They were careful not to come to an agreement and the bill was killed.

The proposed amendments to the charters of the cities of Bridgeport and New Britain were less comprehensive than that to the Hartford charter, and had to do mainly

with appointments to the fire and police departments. Neither of these amendments passed.

An amendment was offered increasing the salary of the clerk of the civil service board of New Haven from \$500 to \$1,000 a year, and putting him in the same class with other civil service appointees. Opposition was offered by our Association on the ground that the present salary was ample, and the result was that the resolution was modified so that the board should fix a salary not to exceed \$1,000.

In New Haven an interesting question has just arisen as to the rights of an unsuccessful applicant for a civil service position. A candidate for the position of building inspector, who is a mason by trade, was reported as having failed in the examination. He thereupon demanded of the board that his marks on the individual questions should be shown him, and, subsequently, expanded his demand to a requirement that he be permitted to see his own paper and those of the two successful candidates in order to compare them. This was refused, and he then presented a petition to the board of aldermen for an investigation. A special committee of the board of aldermen was appointed which spent two evenings on the matter. An opinion has been obtained from the corporation counsel declaring that the records of the civil service board made in the performance of its duty as required by the charter are public records and as such are open to public inspection. This covers his claim to see his marks. As to the right of a candidate to review his own papers, the corporation counsel declared that to be a matter entirely within the jurisdiction of the civil service board, to permit or refuse as it saw fit. He then demanded that he be allowed to examine his own paper with an expert, in order to determine whether or not his markings were. correct. The matter has not vet been finally settled, but the board consistently refuses to show the candidate any paper except his own, or to allow any other person than the candidate to examine his paper.

The Assistant Secretary read the report sent by Mr. Henry Van Kleeck, President of the Civil Service Reform Association of Denver:

The past year has been a memorable one for the Civil Service Reform Association of Denver in that it witnessed the enactment by the Colorado Legislature of its bill "In relation to Civil Service in State Institutions and Municipalities." The act applies to all appointive officers and employees in state institutions for the delinquent, the defective and the dependent, and in all cities of the first and second class, which may elect to adopt its provisions.

While the scope of the act is limited, its application may be extended in the future, without amendment to its general provisions which are broad and comprehensive. It provides for three commissioners, who shall serve without compensation. The Governor has appointed Charles R. Brock, James H. Pershing and Henry Van Kleeck, all of Denver, as the first civil service commission. The commission may appoint a secretary who shall also be chief examiner, at a salary of \$1,800 per annum. It was the intention that the secretary should be included in the classified service, but there has arisen some doubt in the interpretation of the act in this particular. The commissioners have, however, decided to select the secretary through competitive examination open to the public.

The first act of the commission, with the consent of the Governor, on the suggestion of this Association, was to request the Secretary of the League to prepare a draft for a set of rules, a work which he had so admirably done for the City of Denver. The rules were adopted by the commission in substantially the form prepared by him, and with some changes required by the Governor, have received his approval.

It is expected that the law will be in full operation by the beginning of the coming year, and thus finally crown with success ten years of unremitting effort by this Association.

In the City of Denver, the civil service provision of its charter are well enforced to the great benefit of the departments of fire, police and public utilities, to which alone they apply.

Mr. Harry J. Milligan submitted the report from the Civil Service Reform Association of Indiana:

I think the history of civil service in Indiana, technically speaking, might be written in one chapter and that chapter would say that there is no civil service law in Anything I say here I will be repeating in a Indiana. measure what has been said before. You must not get an idea that Indiana is sitting in outer and utter darkness because it has not a technical civil service reform law. I think it is fair to say that the state institutions are managed on the merit system and while admission to office is not through any competitive examination, merit is considered in the appointment and observed in the retention of officers. A year ago I almost essayed the role of prophet and announced that the next legislature which was then to convene would pass a civil service law, but I was mistaken; the law was not passed and was not offered.

In regard to city government in Indiana I cannot speak so favorably. I have sometimes felt that the question was much deeper than the question of civil service; that our manner of elections, that is, of allowing everybody to vote, would always result in a bad city government. Our trouble in Indianapolis is that we do not get good candidates. We are under a charter where the mayor has almost absolute power. Indianapolis, as you know, is a city of at least average intelligence, I think the people are certainly up to the average in intelligence and in the desire for better things, but they do not get the chance to vote for good men very often. The machinery for selecting the candidates is such that they cannot be heard. I have sometimes felt very much discouraged and felt that the difficulty was fundamental and could not be overcome permanently until there was some great change. But coming here to this city, a city that is governed substantially as Indianapolis, and learning that you have nothing but the best men in office, that everything of a public nature is attended to in the best form, I

have concluded that the trouble is not in the system but in the locality.

I think it is fair to say though that in Indiana, as everywhere else, the cause of civil service reform is gaining adherents; people are beginning to take the rational and sane view that municipal affairs and state affairs, so far as they are questions of administration, should be administered as nearly as possible like those of a great corporation. Now, of course, these are platitudes among those who have thought about these things, but they have not been among the people; there has been a prejudice against civil service reform which is disappearing. So I say that while I have nothing definite to report, I think the general conditions are slowly but surely improving.

Mr. William J. Trembath submitted the report from the Civil Service Reform Association of Luzerne County:

The Luzerne County Association as its name indicates is a mere helpmate of the Pennsylvania Association and its efforts have been directed in the aid of the Pennsylvania Association rather than in any independent line of work. Our efforts in behalf of legislation were directed chiefly toward the promotion of a bill which failed of passage, a bill to secure civil service methods in counties of 150,000 population and upwards and in cities of the third class, of which there are three in our county. Our efforts in that behalf we still view with a degree of wonderment and mystification for one of the senators who gladly hastened to our aid and enrolled himself as a member of our association prior to the opening of the session eventually voted against the bill; and another senator who over his own signature declared himself in favor of the old principle "to the victor belongs the spoils," and who repudiated civil service in theory, nevertheless voted for the bill; and also another senator from my own town, who up to the time of the passage of the bill had refused its support; also several of the representatives who pledged themselves to favorable action on the bill still have to explain why they were among those absent or dodging. So that there is still very much to explain in the action of those whom our association attempted to influence towards legislative action.

Our work along educational lines has met with a greater degree of success, as evidenced by the unanimous passage of resolutions by a body of a thousand teachers which met last week. The resolutions which I have in hand are as follows:

"We believe that the best interests of the teachers of the state will be subserved by the enactment of such laws as will vest in a civil service commission, acting under the jurisdiction of the Department of Public Instruction, the power to pass upon the employment and dismissal of teachers in the public schools. Therefore, be it

"Resolved, That we urge that the teachers and a legislative committee to be appointed by the county superintendent use their best efforts in securing the enactment of such laws as will make the office of school superintendents and teachers in this commonwealth permanent during competency and good behaviour."

I offer this as evidence of the growth of a sentiment in favor of civil service reform in this particular locality since this was the spontaneous action of the teachers upon their own initiative.

I think perhaps the most effective work done by our association in the past year, though entirely outside of the scope of a civil service reform association, was in supplying the initiative for the formation of a committee for the purpose of punishing election frauds perpetrated at the November election in 1906. Without going into this matter I would say that the efforts of that committee, which was instigated by this association, have resulted, only a few days ago, in an election in our county to which no honest man can take exception, and therefore we feel that in thus being the pioneer of a local association whose activity is restricted to a small neighborhood. I believe the first one of the kind in Pennsylvania, we have done something which has already justified itself and affords an example which other communities of our state can well follow.

Mr. Philemon H. Tuck submitted the report from the Civil Service Reform Association of Maryland:

Mr. Foulke has told me to-day that our local association, our Maryland association, has been one of the strongest, and has probably done as much for good as any other in the land. We organized about five months after the adoption of the civil service act. Since then we have had as many as a thousand members. have been a leaven to the body politic and have made it sweeter and better. We have to-day in our service men who have been with us from the beginning. Our honored president, Mr. Bonaparte, was a member of the original Executive Committee. Two years after the formation of our association there were but fourteen thousand men under the civil service law, although at that time I think there were as many as one hundred and ten thousand offices under the general government. Two years ago out of three hundred and twenty-five thousand office holders, one hundred and eighty-four thousand were in the classified service.

We think that by our nearness to Washington, by our constant observation of the law as it works there, we have succeeded in obtaining in Maryland a local law applying the merit system in our school affairs, and to our fire and our police departments. I think you will agree with me that in any state or city these are the three great influences for good or for evil.

We had an election in Baltimore last Tuesday. The day was so quiet you might have thought the people were preparing for a public funeral. I regret to say it was a funeral for some of my friends. But be that as it may, formerly a murder might have occured there almost on any election day; there was always some rioting. But under the auspices of the Reform League, which is a very close ally of ours, a decent and fair election law was passed ten years ago, and our elections are conducted with almost as much decorum as a man would expect to find in a church. No voter is permitted within a hundred feet of the polls unless for the purpose of casting his ballot. And all that is attributed to our magnificent police and to this excellent law, which had its inception

when Mr. Joseph Packard, one of the foremost lawyers of our city, was the president of the Reform League. He is now president of the School Board, an unpaid body of gentlemen, who have made the school system of Baltimore second to none in all this country. The members of the Reform League are very often members of our own association, Mr. Packard for years having been

a member of the executive committee.

We have had practically no graft in Baltimore or Maryland so far as I know. Our fire department is controlled by three commissioners, who are governed in making their appointments by the local civil service regulations. I am informed that Mr. George W. Gail, who has recently retired from the presidency of that board, has never for any purpose of his own touched one cent of the salary. Recently there were two firemen who met their deaths in Baltimore under particularly trying circumstances. One-half of Mr. Gail's salary he gave to one widow, the other half to the other.

Now, in respect to our police, we are in almost as good a condition. We have three commissioners appointed by the Governor subject to confirmation by the Senate; all men are appointed to the force after competitive examination, upon the report of three police examiners. Until eighteen months ago when a vacancy was to be filled the examiners would send up to the board the names of all those who had passed the examination, so that an appointment might be made from any one of these names whether it appeared at the bottom or at the top of the list. At our annual meeting a year ago last spring we called attention to this construction of the law. maintaining that favoritism could be shown, and that we did not think it was being fairly administered. Within seven weeks thereafter the police examiners and board took cognizance of what we had done, and from that time till now when a vacancy occurs the name of the man who stands first on the list is sent up. We assert that the Civil Service Association of Maryland has brought about this great improvement in the personnel of the force.

Mr. William W. Vaughan submitted the report from the Civil Service Reform Association of Massachusetts:

We may have the right to point with pride to our antiquity but I am afraid that there is nothing very dramatic that I can report or nothing very exciting the last year for Massachusetts. It is the same old fight to hold what we have got and to try to get something more. Now, I am constantly asked questions like this, civil service reform got a very strong hold on the people of Massachusetts?" I answer, "Yes, certainly, you can see that. We started early and you will see that there is a very strong feeling for it as people are in favor of it." "Then why is it," the next question is, "that you cannot get anything out of your legislature when your legislature is supposed to represent the people?" Well, the answer is really a perfectly simple one, that upon the question of promoting the civil service reform measure the legislature does not represent the people. They merely represent themselves. The best illustration of the situation was reported in an anecdote told me by a former speaker of the house, who said that upon meeting one of the members of his house in the street he asked him with reference to some civil service reform measure then pending, whether he could support it, and he was answered in this way: "It is all very well for you to stand for civil service but you can get elected whenever you want to. I can't get elected unless I can do something for the boys." Now, that is just the whole trouble with the situation. The smaller politician in the legislature does not like any more than any other human being to deprive himself of certain powers and privileges, the few that are left. It is not a popular thing to saw off the branch on which you are sitting. That is the difficulty we meet with constantly in the legislature. We passed an act early there, but it would be quite difficult, I am afraid, to get that same act through to-day. Politicians are sometimes a little bit careless, and don't always perceive how much these reform measures are going to help them in the long run.

We have a regular fight all the time to hold what we have got. This year the honors were about even. We

failed to pass the act to try to put the heads of our departments under the civil service roof. We needed it badly enough in Boston as the last investigation showed, but we did not get it. On the other hand, we did succeed, as we have succeeded before, but after a fight, in defeating the constantly renewed attempt to put the whole civil service of the state into the hands of the veterans of the Spanish War. It was a pretty hard fight and not a great majority in our favor, but we were somewhat encouraged by the fact that was mentioned at our Council meeting this morning, that one of the gentlemen who voted very strongly for the measure and who has been campaigning for election and pointing with pride to his record on that subject has had his pride somewhat diminished by the fact that the electors have decided to let him stay at home, and we hope that some other similar instances may come and help us. But on the whole we can report nothing better than a standoff.

The only other thing that has come up in Massachusetts that might be of interest to report has been an incident of this constantly recurring difficulty of applying fixed rules made for the average man to people of exceptional ability who think, and possibly justly, that they can select their own subordinates for their own use better than any set of rules or any commission can do it for them. That may be perfectly true. The benevolent despot may be the best government that exists. The difficulty is of course that all despots are not universally benevolent. We have that same case in Massachusetts where a commission of ladies and gentlemen had been in the habit of appointing their appointees in their discretion. The civil service commission found that they ought to be under the rules and the question was brought up. There was, I am sorry to say, a good deal of temper shown on the subject, both sides had a certain amount of right, and the civil service refrom association poured all the oil possible upon the waters, but there was a good deal of a storm and I am afraid the oil was not quite sufficient and that there is more or less ground-swell still running. That particular incident has been settled but the situation will sometimes recur.

Other than that there has been nothing very dramatic in Massachusetts. We simply can say we are ready to keep on with our fight, we propose to do so, and expect to win.

Mr. Edward K. Sumerwell submitted the report from the Civil Service Reform Association of New Jersey:

The civil service reform movement in New Jersey owes its origin and inspiration directly to the National Civil Service Reform League. The fact is pertinent, both as to a matter of history and as an encouragement to you in a work not always too bright with hope.

Attending your meeting in Washington three years ago, as Secretary of the New Jersey State Civic Federation, the writer became deeply impressed by the need of a comprehensive civil service law in our state, and, with the aid of your Secretary, Mr. Elliot H. Goodwin, and some of your leading members, enlisted the Federation in the formation of a State Civil Service Association. Senator Everett Colby became our President and has labored unceasingly for the law.

The first year our bill was held in committee, but a senate committee was appointed to consider the subject. A hearing was accorded us, at which Mr. Goodwin and a large deputation of our members attended. After full discussion it was decided that the bill, with a few changes, should be re-introduced. This was done and through the entire session of the legislature we watched every step and used every means at command to secure the passage of the bill, which thus became one of the most prominent legislative issues.

We have been careful throughout to avoid aligning the Association with either political party and have kept strictly within non-partisan lines, pleading our cause with equal fervor in both of the hostile camps. We have found good men and true in both and are grateful for their interest and support. We make no comment at this time upon the political aspects of the case, but merely record the facts as they have occurred.

The legislature was divided politically. The state has been republican for the past twelve years, but at the election of 1906 the democrats gained control of the assem-

bly. This led each side to seek favor for itself through the advocacy of popular measures, without actually enacting laws opposed by the political leaders of either side. The result was that out of a large number of laudable measures only a few were finally passed, the civil service

bills going with the hopeless majority.

The outlook at first was most promising. The Governor in his message and in personal conferences, took high ground in favor of the enactment of a civil service law. Our bill, which was considered a model, was drafted mainly by Mr. Goodwin; approved by the Council of the League; revised slightly to meet the views of the senate committee and our own Association; passed by the senate; and, so far as we could learn, was received with favor in the assembly. Despite our best efforts, however, its progress was slow, and when it was finally put upon its passage, it was changed in several vital respects, and was lost in the rush of the closing hours just before the recess

Upon the reconvening a new bill was introduced and passed in the senate. Again the assembly defeated it, after changing it to provide for an elective instead of an

appointive commission.

We can state with the utmost confidence that the feeling among our people at large is very strongly in favor of the law. No one openly opposes it, while civic bodies all over the state have urged its adoption, and many of our best citizens have personally visited the capitol to plead for its enactment.

In the campaign just closed, the dominant party in its platform and through its candidates, has advocated a comprehensive civil service law to embrace the state, county and municipal employees. The democratic platform favored an elective commission, but the gubernatorial candidate was silent on the subject, although requested by us to state his views.

We have thus briefly sketched the struggle for the enactment of a civil service law in our state, which has already enlisted the earnest support of many of our leading citizens of both parties, and in which we are confident of success in the near future. Our hope lies in the nota-

ble accession to political life of a distinctly new element. The past few years, already so fruitful of reforms in our systems of taxation, limitation of franchises, primary election and direct primary laws, popular expression in the choice of United States senators and the regulation of railway and public utility corporations, have opened the eyes of our people to the evils of the spoils system in all its ramifications and have prepared them for a more determined stand in favor of the merit system.

We are grateful for the support rendered us by your League, especially through the services of your able and indefatigable Secretary and Assistant Secretary, both of

whom have been invaluable to our cause.

The outlook for the early enactment of the law is greatly improved by the results of the recent election, at which the republicans elected their candidate for governor and regained control of the assembly, thus enabling them to carry out their platform pledges. It may, therefore, be of interest to append our letter to Hon. J. Franklin Fort, the Governor-elect, and his reply, viz.:

"East Orange, N. J., October 8, 1907.

"Dear Sir:-

"As Chairman of the Legislative Committee of the New Jersey State Civil Service Association, I have been requested to ask an expression of your views relative to the enactment of a civil service law in New Jersey.

"As you are aware, a bill was prepared under the auspices of this Association, introduced by Senator Everett Colby, passed by the Senate, amended in the Assembly and there defeated upon its final passage, despite the earnest efforts of Governor Stokes and many of our citizens in its behalf.

"So far as we are aware, no substantial objection to the bill was made in the Committee or on the floor. Opposition to civil service laws, as tending to take away the fruits of political activity, was expressed, and the Assembly held out for an elective, instead of an appointive commission and deferring the date for putting the law into effect.

"In view of the importance of the subject and the general interest shown in it, we feel warranted in asking a

definite statement of your views upon it, including the mode of selecting the commission, and we should like your consent to make public your response.

"Yours very respectfully,

"EDWARD K. SUMERWELL,
"Chairman."

"East Orange, N. J., October 26, 1907.

"Edward K. Sumerwell, Esq., East Orange, N. J.,

"My dear Sir:—I have your letter of the 21st, and I answered your letter of October 8th some time ago.

"Of course I am in favor of the most effective civil service law with relation to municipal, county and state offices which it is possible for the legislature to enact. The days of the spoils system have gone. Any recommendation which I can make, if elected governor, to bring about the enactment of an efficient civil service statute will be made.

"Yours very respectfully,
"J. Franklin Fort."

Mr. Albert de Roode submitted the report from the Civil Service Reform Association of New York:

At the last meeting of the League the report of the New York Association was presented by the Hon. Jacob F. Miller, a member of the Council and Chairman of the Executive Committee of the Association. Mr. Miller died on December 11, 1906, and this report of the New York Association would be incomplete without recording the sense of loss felt by the Association in his death.

Mr. Miller's services to Civil Service Reform began at an early date. As a member of the state legislature he introduced a civil service bill, the provisions of which were afterward incorporated in the first civil service law of New York. The influence of Mr. Miller as Chairman of the Executive Committee for nearly ten years is reflected in the improved condition of the civil service in the state of New York.

A report of the New York Association deals largely with administrative problems. We have a constitutional requirement for civil service reform and an excellent law, and the activity of the Association cannot chronicle such heroic struggles as in the cases of the younger As-

sociations in those states where civil service reform is not an established fact.

With Mr. Hughes as Governor during the past year no effective assault on the merit system in the legislature was possible. The Association, however, was unable to secure the passage of the constructive legislation which it urged, notably the bill to prohibit political activity on the part of officeholders, and the bill to include in the competitive class corporation inspectors in New York City.

It is gratifying to the Association to be able to report that the Governor refused to re-appoint the notorious collector of political assessments, Harry H. Bender, a Fiscal Supervisor of State Charities. This refusal to reappoint was undoubtedly due, to a large extent, to Mr. Bender's record as collector of political assessments.

In New York City, Mayor McClellan, in waging an ineffectual contest against the leader of Tammany Hall, used the exempt positions as spoils. An incident in this contest was the removal of one of the civil service commissioners, an adherent of the Tammany leader; but the succeeding appointment was unexpectedly a most excellent one.

In spite of the action of the Mayor in using the exempt class to further his political ends, the New York City commission has maintained an absolutely independent attitude and has been doing creditable work in strengthening the rules and increasing the efficiency of the service. The commission has done a great deal to elimiate the suspicion which has previously attached to civil service commissions in New York City. The Association is able to co-operate with the Commission in the most friendly spirit. The commission has often not been willing to go as far or as rapidly as the Association might desire, and it has failed to make use of the wide investigating powers that it has. On the other hand, it has done much more than was expected and has been steadily growing toward the reform point of view.

In New York City, investigation of the office of one of the borough presidents disclosed gross inefficiency, if not actual corruption, arising almost entirely from the

appointments of heads of bureaus for political reasons. In one bureau a list of employees was kept according to their political affiliations. The removal of the borough president by the Governor has been asked for by the

City Club.

A commission on grades and salaries, appointed by the board of estimate and apportionment, has been engaged in the study of the municipal civil service, with a view to correcting the inconsistencies in the grading and salarles of the positions and has made reports, which if adopted will do much to improve the efficiency of the service.

In July the Association presented to Mayor McClellan charges against a commissioner of parks, that he had appointed numerous persons for political reasons. fortunately, the commissioner was a political adherent of the Mayor, and, after a white-washing investigation by the commissioner of accounts, was exonerated by the Mayor.

No change has been made in the personnel of the state commission, which has pursued the same conservative policy and maintained the same standard as in past years. In the last annual report of the New York Association the suggestion was made that the president of the commission should reside in Albany and supervise and direct the executive work, and that the commission should hold

more frequent meetings.

The exempt class of the civil service has grown to undue proportions. Many of the positions now exempt should properly be competitive. The Association intends during the coming year to work for a reduction of the exempt class; it also intends to urge the passage of constructive legislation and to continue its policy of establishing committees in the various cities throughout the state to watch the enforcement of civil service laws.

Mr. George Burnham, Jr., submitted the report from the Civil Service Reform Association of Pennsylvania:

The Civil Service Reform Association of Pennsylvania, through its Campaign Committee, acting in co-operation with citizens of Pittsburgh and Scranton and members of the Luzerne County Givil Service Reform Association, did much to secure the passage at the last session of the Pennsylvania legislature, of a Civil Service Act for cities of the second class (i. e., Pittsburgh and Scran-The State Bill, championed by Senator Hulings, passed in the Senate by a vote of thirty to twelve, but in the House, legislation was blocked, as it was last year, by the strategic tactics of the Republican "organization," until it was too late to secure the passage of the bill at that session. Special efforts are being made to enlarge the membership of our Association, which at present numbers nine hundred, and to form other local associations similar to the Luzerne County Association, since it is believed that by the co-operative efforts of groups of active supporters in various parts of the State, sufficient pressure can be brought to bear on Senators and Representatives to ensure the passage of a State bill at the next session of the Legislature.

Mayor Guthrie of Pittsburgh, a Vice-President of our Association, issued last July an order forbidding the five thousand city employees of Pittsburgh from taking active part in politics, under penalty of dismissal. The Pittsburgh Civil Service Commission, which under the terms of the new act was appointed August 3, has just promulgated excellent rules based on a draft prepared by our Counsel and former Secretary, Mr. Robert D. Jenks of

Philadelphia.

In Scranton, the other city of the second class for which the new law provides, grudging and illiberal City Councils have thus far refused to grant the necessary appropriation of \$2,500 for the annual expenses of the Civil Service Commission, but the provisions of the Act are mandatory, and Mayor Dimmick and the Commissioners have no doubt that Councils will shortly grant the decidedly modest appropriation for which the Commissioners have asked.

The enforced resignation of William R. Knight, Jr., from the Federal office of Shipping Commissioner of Philadelphia, after an investigation by Commissioner Greene of data put before him by our former Secretary, Mr. Jenks, has had a salutary effect among office-holders, similar to the effect of the President's removal of William

S. Leib from the position of Assistant Treasurer, in November, 1905. The Mayor of Philadelphia appointed Knight to the position of Assistant Director of Public Works of the City of Philadelphia, at a salary twice as great as the sum total of the fees Knight received in the office of Shipping Commissioner; but this reprehensible act on the part of Mayor Reyburn is a powerful popular argument against the perpetuity in office of the Republican "Machine" which dictates appointments in Philadelphia; and the fact that Knight, even though rewarded by the Mayor, had been discredited and punished by the President, will undoubtedly lead to the stricter observance by office-holders of the statutes against pernicious political activity.

Mayor Reyburn's predecessor, on his last day of office in March of this year, failed to keep his pledged word, and refused to reappoint Hon. Frank M. Riter as a Civil Service Commissioner. On May 3, Mayor Reyburn removed Commissioner Cyrus D. Foss, "for the good of the service." The death of Hon. Dallas M. Sanders occurring almost simultaneously, left the way free for retrogressive action, and the Mayor has appointed as Civil Service Commissioners three of his personal friends who know little of, and care less for, the proper administration of Civil Service Laws. Whereas under the previous Commission the utmost publicity was given to the transactions of the Commission, the present Commission has persistently refused to allow personal access to its records, and the Association, through mandamus proceedings, is about to compel their compliance with the law which provides that the records shall be open to public inspection.

The most encouraging features of the outlook, therefore, in so far as Pennsylvania's metropolitan city is concerned, are not the consequences of any improvement in the temper of the administration toward Civil Service Reform, but they are rather the visible results of the growing appreciation on the part of the public of the fact that the public is reaping as it sowed when it selected a corrupt and incompetent body of office-holders.

No statement of the history of the year in Pennsylvania would be quite complete without some reference to

the arduous and self-sacrificing labors of the retiring Secretary, Mr. Robert D. Jenks. In season and out of season he has labored unobtrusively and unassumingly, always with a keen sense of the legal issues involved and the legal value of evidence,—abstaining entirely from vague general assertions based on unsubstantiated statements,—so that the standing of the Reform Association in the community as an organization whose chief aim is good government irrespective of partisan consideration, has been incalculably strengthened, and there has been a notable increase in public respect for Civil Service Acts which are themselves, in large measure, the fruits of Mr. Jenks' erudition and downright hard work.

Miss Sarah L. Truscott submitted the report from the Women's Civil Service Reform Association of Buffalo:

The Women's Civil Service Reform Association of Buffalo during the past year has continued its work along educational lines by furnishing literature to its reading members. To become a reading member one must read certain essays designated by the Executive Committee. The first year's required reading was arranged to give a thorough understanding of the principles of civil service reform. The second year's list gave more emphasis to the great problem of our time—the government of our large cities, and included:

- The Civil Service—The Merit System—The Spoils System, by Edward Cary;
- 2 Civil Service Reform—Attack and Defense in the Massachusetts Legislature, by Richard H. Dana;
- 3 Civil Service Reform demanded by Presidents and Statesmen;
- 4 The Purpose of Civil Service Reform, by Henry Loomis Nelson;
- 5 The Merit System in Municipalities, by Clinton R. Woodruff;
- 6 The Relation of Civil Service Reform to Municipal Administration, by Professor John A. Fairlie.

The number of reading members the second year was 229, a gain of 65 over the preceding year. The larger proportion of these were members of the high schools. We expect by the end of this year that over 500 of these

pupils will have qualified as reading members. Many read more than the required amount, and thus have their names starred in the year's report. This course of reading has added greatly to the interest in writing for the Municipal Honor Medal offered each year in the interest of good government by our president for the best essay on civil service reform. In two of the high schools the classes in civics are given our pamphlets as part of their work for the year.

The Association has 69 active members who contribute to the financial support. During the year two

pamphlets of value have been reprinted:

Civil Service Reform as a Moral Question, by Hon.

Charles I. Bonaparte;

The Relation of Civil Service Reform to Municipal

Reform, by Hon. Carl Schurz.

Orders for these pamphlets from the National League and the New York, Boston and Worcester Auxiliaries have been of great help in paying for their re-issue.

The annual celebration of our Association in honor of the birthday of George William Curtis on February 26 was held at the home of Mrs. De Lancey Rochester, and brought together a hundred people, members of the men's and women's Associations and our junior and senior reading members. The enthusiasm of those who have known George William Curtis personally is thus added to the appreciation of those who feel his great power through reading only. This year three essays from the Easy Chair were read by pupils of the three high schools, one a native of Sicily, one of the Orkney Islands, and one a German-American. Mr. Olmstead read William Winter's eulogy on George William Curtis, and Mr. Wilcox gave an address on "George William Curtis in Civil Service Reform."

The Association is fortunate in having for its patron saint such a man as George William Curtis; of wide culture, much interested in art, literature and music, a deeply religious man and possesing such power and charm that he was able to carry reform from a struggling beginning to victory and be an inspiration for all time.

Miss Marian C. Nichols submitted the report from the Women's Auxiliary to the Civil Service Reform Association of Massachusetts:

Since our last report to the League 80 members have joined the Massachusetts Auxiliary. The maintenance of interest among the 1,125 members as well as the effectiveness of the educational and legislative work has continued to be greatly strengthened by the organized support of our nine branches. Three meetings of the State Council brought together delegates from the branches to discuss plans and to report on their work which as usual included meetings with speakers, study classes for members and other women, talks for teachers and pupils, competitions for the school medal, and other methods for extending interest in the merit system. The mid-winter meeting of the Council was devoted to the consideration of legislative matters.

Our efforts to supplement the legislative work of the Massachusetts Association were directed to opposing the Spanish War Veterans' Preference Bill and to supporting the Higher Municipal Offices' Bill. Besides presenting 1,942 signatures to our petition favoring the latter bill we endeavored to gain the interest of influential citizens and organizations; thus the Salem Branch invited a few men to meet and discuss the merits of the measure and the Worcester Branch secured the endorsement of the Worcester Board of Trade. During the long and precarious struggle against the Spanish War Veterans' Preference Bill we received for our protest the signature of 2,432 men and women representing 80 cities and towns, we submitted to the members of the Legislature an additional petition protesting against the bill and giving the names of 170 prominent remonstrants, we urged constituents in different parts of the State to give personal expression to their opposition, we supplied material to the newspapers in order to keep the evils of the bill before the public, and in other ways we did what we could to assist the Association in the victory won in the end by a tie vote in the Senate. As a preliminary step to this winter's probable campaign we prepared for publication in the Boston Transcript and the Springfield Republican

names of legislators who voted last spring for the Preference Bill which were arranged according to districts and headed by an introduction kindly written for us by Mr. Dana. Through the courtesy of Good Government this list of legislators with the exception of those who had withdrawn from candidacy for re-election was given in the October number, and four hundred extra copies of this issue were distributed by us chiefly to constituents of candidates.

The Massachusetts Civil Service Commission this summer held another examination for the important positions of Visitor for State and Charitable Institutions, and by circulating information in regard to the examination the

Auxiliary again helped to procure applicants.

During the past year we have distributed nearly 30,000 pamphlets; of these 21,000 have gone to about 550 high and grammar schools. The total number of pamphlets used in our school work now exceeds 150,000. We reprinted for enclosure with our Sixth Annual Report Mr. Bonaparte's inspiring address on Carl Schurz and also arranged for its publication in the Federation Bulletin.

A new departure in our educational work is our civil service reform exhibit in the Social Economy Building at the Jamestown Exposition. One wall of our booth is given to the United States Civil Service Commission whose exhibit includes a set of reports, samples of examination papers, a valuable set of statistical charts and a large map showing the civil service districts and their proportion of appointments. The other two walls are occupied by portraits of a few leading civil service reformers, sets of our own and the New York Auxiliary's publications, illustrations of our school work including replicas of the school medal, specimens of prize essays and the names of the 34 winners of the Auxiliary's medal. Two charts prepared by us last spring for the Industrial Conditions Exhibit held in Boston show what civil service reform does for the betterment of labor and industrial conditions in Massachusetts. A map carrying out Mr. Almy's suggestion made at the last meeting of the League gives the name of each state, county, city and town under a civil service law and is colored to show the general

We are much indebted to the character of the law. Secretary of the League and of the Federal Civil Service Commission for obtaining special information for this map and the accompanying explanatory chart. The large tracts of blank space in many states testify to the urgent need for further educational work on the part of the

women's organizations.

The medal offered as a reward to children or young people for the best essay on some civil service reform subject was awarded last spring in thirteen school competitions. This beautiful medal, the work of Miss Frances Grimes, will always have a special significance to lovers of art and to patriots because the design was suggested by and carried out under the supervision of that distinguished patriot and great genius, Augustus Saint-Gaudens. We rejoice that the motto for this medal, "The best shall serve the State," was given to the New York and Massachusetts Auxiliaries by Mrs. Charles Russell Lowell. We think of the motto as exemplifying her own self-sacrificing life and the life and death of her soldierhusband, killed in the Shenandoah valley, who so longing to live was yet willing to die. We rejoice also that the wonderful sculptor who has embodied the spirit of America in many noble forms put his thought likewise into making our civil service reform medal worthy of its mission.

Miss Emilie J. Hutchinson submitted the report from the Women's Auxiliary to the Civil Service Reform Association of New York:

The Women's Auxiliary to the Civil Service Reform Association of New York takes pleasure in reporting a year of continued activity. The work of the past year has been almost exclusively along educational lines. The distribution of the "Primer of the Civil Service and the Merit System" has been carried on in Michigan, Idaho, Colorado, and Iowa. These states were thoroughly canvassed and 6,290 primers were distributed there. aggregate of nearly 9,000 pamphlets were sent to schools during the school year. This year, while continuing to send the Primer where it is not already in use, the Aux1...

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The membership of the Auxiliary has been well sustained, and we look for a further increase in our numbers in the extended work we plan for the future. Everything points toward continued success in the coming year—a year in which we shall always be ready to exert our individual efforts, or combine it with that of similar organizations in the cause of the public service.

The following reports were received to be printed in the Proceedings:

From the Cambridge Civil Service Reform Association: The Cambridge Association reports a membership The Association continues its interest and endeavor in the cause, and whenever matters have appeared in our legislature inimical to the civil service its members have appeared in opposition. The most extreme was the annual "Spanish War Veteran bill," with a new feature this year of "adding 15 per cent to the credit of the applicant over the rating obtained in examination." The bill was defeated by a narrow margin. In this examination a fitting question would seem to be to give the definition of a "War Veteran," and perhaps if any could be found who had smelt powder, or seen service, 15 per cent might be allowed. The Association endeavors to interest the students of Harvard; and many of these are just beginning work in good government associations. Our Association holds itself ready for good work and for the furtherance of the cause.

From the Women's Auxiliary to the Civil Service Reform Association of Maryland:

The year just concluded has been characterized in the Women's Auxiliary of the Maryland Civil Service Reform Association by renewed vigor and an enlarged sphere of activities.

During the spring of 1906 a broad scheme of educational work was planned by a special committee, most of which has been faithfully carried out. As outlined, it proposed development in three directions. First, a series of parlor lectures, for which speakers of national reputation should be secured. Second, a study class, for which services of a thoroughly qualified and salaried leader

should be obtained, and in which subjects relating to civil service reform should be studied in detail. Third, the diffusion of information by means of literature distributed to the teachers in the public schools, and also through women's clubs and other organizations. In pursuance of this resolution, a copy of the Primer of Civil Service Reform was sent to each teacher of the eighth grade, the secretary accompanying it in each case by a private note. The second suggestion of the committee relating to a study class remains to be consummated in the future. The first recommendation of the committee was fulfilled by a series of parlor lectures, the first of which was delivered by Mrs. Oakley, of Philadelphia, to an interested audience of over 100 members of the Auxiliary, the subject being, "Civil Service Reform as applied to Municipalities." On the same evening Mrs. Oakley addressed the Association of Graduate Nurses of the Johns Hopkins Hospital. A January meeting was equally well attended, being addressed by the Hon. Alford W. Cooley. A third parlor meeting, held in March, was addressed by the Hon. William Dudley Foulke. All of these meetings were held in the homes of prominent citizens who had identified themselves with the interests of good government. The Auxiliary also at Mr. Bonaparte's invitation, sent 25 delegates to Annapolis on the occasion of the celebration in memory of John Paul Jones. In May on occasion of the annual meeting of the Civil Service Reform Association, the Auxiliary availed itself of its prerogative by entertaining at dinner Secretary Taft, who was to deliver the annual address.

A most encouraging feature of the activity of the current year is reported in the application of various clubs and associations of the city and vicinity to the Auxiliary to provide speakers on topics relating to civil service reform. Among these requests satisfactorily responded to are those from the Maryland Association of Graduate Nurses, the Roland Park Club, the Forest Park Club, the Jewish Council of Women, the Outlook Club and the Wednesday Club. Fifteen requests of this character have been received and the want supplied. Many of these requests have come through the Maryland State Federa-

tion's Committee of Women's Clubs. The supply of these demands has been made possible through the kindness of public spirit of the following speakers: Hon. John C. Rose, Hon. Alford Cooley, Hon. William D. Foulke, Mrs. Oakley, of Philadelphia; Mr. John Philip Hill and Dr. J. H. Hollander, some of whom have addressed several meetings.

A large amount of literature has been distributed during the year, both voluntarily and in response to re-

quests.

Pending the passage of the child labor law, the Auxiliary was represented by a committee at Annapolis, who testified to their interest in the bill before the legislature. Subsequently, in response to an appeal from the Charity Organization Committee, \$100 was voted from the treasury to furnish pensions to families suffering from the enforcement of the law.

The Auxiliary has made its usual contribution of \$100 to the funds of the National Civil Service Reform

League.

In conclusion we would state that 27 members have been added to the list of the Auxiliary during the year, a testimony to the growing interest in the cause of civil service reform.

Hon. C. E. Buell, a member of the Wisconsin Civil Service Commission, gave the following account of the work of the commission:

I did not come here expecting to make any report for any organization in Wisconsin,—in fact came rather to listen than to say anything. We have a civil service law in Wisconsin which I am led to think is perhaps one of the best civil service laws that we have in the United States. It is copied very largely from the civil service law in New York but perhaps we have improved it in one or two respects. The question of civil service reform was not agitated very much in the state of Wisconsin. It came as an incident of other reforms. I suppose we are known in some respects as reformers out in Wisconsin. We certainly were the pioneers in primary election reform and I believe we have the best primary

election law in the United States, and it is a law where the voter can go to the poll and manifest his choice for the nominee of his party untrammelled and unhindered by anyone. That reform it took quite a number of years to bring about and as an incident to that reform the civil service law was passed without very much agitation. The law was passed two years ago last winter and it has been in operation about two years; that is, about two years since the law really went into effect. We have been doing as best we could and I think perhaps fairly well; but we were met by the situation that when the civil service law went into effect all the offices were filled on the spoils system and by the law those officers were continued in office provided they were able to pass a non-competitive examination. It has been the desire of the commission to fill the different appointive offices as they became vacant by persons without regard to party or faction within a party, without regard to religion or any other test, and I think we have succeeded, but there is still the old influence at work, the opposition of the spoilsmen, and we feel that, and it may give us trouble. But I think on the whole the outlook in Wisconsin is favorable and that a sentiment is being developed which will sustain us in the work which we are trying to accomplish.

SECOND SESSION.

PERKINS MEMORIAL HALL, Y. M. C. A. BUILDING, THURSDAY EVENING, NOVEMBER 7.

A T 8:30 P. M. the League reconvened at Perkins Memorial Hall, Y. M. C. A. Building. Hon. William Dudley Foulke presided at the meeting.

Mr. Richard Henry Dana, Chairman of the Council,

read the Annual Report of the Council.1

Hon. Charles J. Bonaparte, Attorney General, delivered an address.

Hon. Charles E. Hughes, Governor of New York, delivered an address.*

Printed in full 'at page 44; at page 102; at page 106.

THIRD SESSION.

Iroquois Hotel,

FRIDAY MORNING, NOVEMBER 8.

AT 11:00 A. M. the League reconvened, Mr. Dana in the chair. Mr. Frederic Almy presented the report of the Committee on Nominations as follows:

For	President:				
	Joseph H. Choate,				New York, N. Y.
For	VICE PRESIDENTS:				
	Grover Cleveland,				Princeton, N. J.
	Charles W. Eliot,				Cambridge, Mass.
	Harry A. Garfield, Daniel C. Gilman,			•	Princeton, N. J.
	Daniel C. Gilman,				Baltimore, Md.
	Arthur T. Hadley,	•			New Haven, Conn.
	Henry Charles Lea,				Philadelphia, Pa.
	Seth Low,	•			New York, N. Y.
	Franklin MacVeagh,	•	•	•	Chicago, Ill.
	George A. Pope, . Henry C. Potter, D.	÷	•	•	Baltimore, Md.
	Henry C. Potter, D.	D.	•	•	New York, N. Y.
	P. J. Ryan, D. D.,	•	•	•	Philadelphia, Pa.
	Moorfield Storey,	•	•		Boston, Mass.
	Thomas N. Strong,	•	•		Portland, Ore.
	Herbert Welsh, .	•	•	•	Philadelphia, Pa.
For	Members of the Cou	INCIL	:		
	William A. Aiken,				Norwich, Conn.
	Frederick Almy,				Buffalo, N. Y.
	Arthur H. Brooks,			•	Boston, Mass.
	Charles C. Burlingha	m,			New York, N. Y.
	George Burnham, Jr.,				Philadelphia, Pa.
	Silas W. Burt, .				New York, N. Y.
	John A. Butler, .				Milwaukee, Wis.
	Edward Cary, .				Milwaukee, Wis. New York, N. Y.
	Everett Colby, .				Newark, N. J.
	Charles Collins, .	•			New York, N. Y.
	William E. Cushing,		•	•	Cleveland, Ohio.
	Nathaniel H. Davis,		•	•	
	Horace E. Deming,	•	•	•	New York, N. Y.
	John Joy Edson, . John A. Fairlie, .	•	•	•	Washington, D. C.
	John A. Fairlie, .			•	Ann Arbor, Mich.
	Henry W. Farnam,	•	•		New Haven, Conn.
	Cyrus D. Foss, Jr.,	٠.	•		Philadelphia, Pa.
	William Dudley Foul	ĸe,	•		Richmond, Ind.
	Richard Watson Gild	aer,	•	•	New York, N. Y.
	Charles N. Gregory,	•	•	٠	Iowa City, Ia.
	Henry W. Hardon,	•		•	New York, N. Y.

H. Barton Jacobs, .				Baltimore, Md.
Robert D. Jenks,				Philadelphia, Pa.
William V. Kellen, .				Boston, Mass.
John F. Lee,				St. Louis, Mo.
'William G. Low,				New York, N. Y.
George McAneny, .		•	•	
Henry L. McCune, .				Kansas City, Mo.
Harry J. Milligan, .				Indianapolis, Ind.
William B. Moulton, .		•	•	Chicago, Ill.
Samuel H. Ordway, .		•	•	New York, N. Y.
William Potts,		•	•	"" TOTK, T. 1.
John Read.		•	•	Cambridge, Mass.
H. O Reik,		•	•	Baltimore, Md.
Charles Richardson,		•	•	
		•	•	Philadelphia, Pa.
Henry A. Richmond, .		•	•	Buffalo, N. Y.
Edward M. Shepard, .		•	•	New York, N. Y.
F. L. Siddons,		•	•	Washington, D. C.
Nelson S. Spencer,	•	•	•	New York, N. Y.
Lucius B. Swift, .		•	•	Indianapolis, Ind.
W. J. Trembath,		•	•	Wilkes-Barre, Pa.
Henry Van Kleeck, .		•		Denver, Colo.
William W. Vaughan,			•	Boston, Mass.
Everett P. Wheeler, .				New York, N. Y.
Charles B. Wilby				Cincinnati, Ohio.
Ansley Wilcox,				Buffalo, N. Y.
Charles D. Willard, .				Los Angeles, Calif.
Frederick C. Winkler,				Milwaukee, Wis.
R. Francis Wood, .				Philadelphia, Pa.
Clinton Rogers Woodr	uff,			a - ' a
Morrill Wyman, Jr., .	,			Cambridge, Mass.

It was moved and seconded that the Secretary be directed to cast one ballot for the election of the gentlemen named. The motion was unanimously carried, the Secretary cast the ballot and announced the election of the ticket as read.

The Secretary presented the treasurer's report to date, and stated that as the fiscal year did not close until November 30. the Council had voted that the Annual Report of the Treasurer, to be printed in the proceedings with the report of the Auditing Committee, should include all receipts and disbursements up to and including that date.

Mr. Horace E. Deming read the report of the Committee on Superannuation. A discussion followed in which the following participated: Pickens Neagle, Presi-

Printed in full 1 at page 43; 2 at page 63.

dent U. S. Civil Service Retirement Association, A. P. Davis, Chairman, Sub-committee on Personnel, Keep Committee on Department Methods, Richard H. Dana

and Horace E. Deming.

Mr. Foulke moved that the report of the committee be accepted and its conclusions adopted and that the committee be authorized to confer with the sub-committee of the Keep Committee and report on further plans. The motion was carried.

The Secretary presented and read the report of the Committee on Resolutions. After discussion and amendment the report was approved and adopted.

Mr. Foulke presented the following resolution, which

was unanimously adopted:

Resolved: That the thanks of the League be extended to Governor Hughes for his inspiring address—so well calculated to aid the propaganda of the reform in sections of the country where it does not yet exist.

Mr. Wilcox presented the report of the Special Committee on the Civil Service in Dependencies which, upon motion was approved.

FOURTH SESSION.

IROQUOIS HOTEL,

FRIDAY AFTERNOON, NOVEMBER 8.

THE League reconvened at 3:00 P. M., Mr. Dana in the chair. Hon. William Dudley Foulke read a paper on "Restriction of the Political Activity of Office-holders." A discussion followed the reading of the paper in which Mr. Bonaparte and Mr. Dana took part.

Hon. John Lord O'Brian read a paper on "Competitive Examinations for Legal Positions." A discussion followed in which the following took part: Hon. Cyrus D. Foss, Jr., Mr. Ansley Wilcox and Hon. C. E. Buell.

Mr. Charles S. Fowler, Chief Examiner of the New York State Civil Service Commission, presented a paper on "Oral Examinations and Practical Tests," which was

Printed in full 1 at page 61; 2 at page 96; 3 at page 112; 4 at page 129; 5 at page 151.

supplemented by a brief address by the Hon. George G. Davidson, Jr., of the Buffalo Civil Service Commission, on the same subject.¹

Papers were then read as follows:

"Civil Service Reform in Philadelphia," by Fullerton L. Waldo, Secretary of the Pennsylvania Civil Service Reform Association."

"The Prospect for Civil Service Reform in Michigan, by Professor John A. Fairlie of the University of Mich-

igan.

Mr. Burnham presented the following resolution, which was unanimously adopted:

Resolved: That the thanks of the League at the close of this, its 27th annual meeting, are hereby tendered to the officers and members of the Buffalo Civil Service Reform Association, the Women's Civil Service Reform Association of Buffalo and the Buffalo Civil Service Commission for their hospitality and delightful entertainment.

The League then adjourned.

Attest:

ELLIOT H. GOODWIN, Secretary.

A banquet to the visiting delegates was tendered by the Buffalo Association at the Ellicott Club at eight o'clock on Friday evening, November 8th. Mr. Ansley Wilcox, President of the Buffalo Association, presided. Addresses were made by Hon. Charles J. Bonaparte, J. N. Larned, R. W. Gilder, Chief of Police Regan, Fire Chief Murphy, Dr. A. V. V. Raymond, Fullerton L. Waldo and Hon. W. D. Foulke.

During the meeting of the League the delegates were tendered a reception on Thursday afternoon at the Saturn Club. At the close of the meeting of the Council on Thursday morning, the members were tendered a luncheon at the Iroquois Hotel by the Buffalo Association and the Buffalo Commission; and on Saturday a luncheon was tendered to the members of the Council by Mr. Ansley Wilcox at his home.

ANNUAL REPORT OF THE TREASURER.

_	Novemi	ber 30,	1907.
Balance on hand December 1, 1906 RECEIPTS:		• • • • • •	* \$408.35
New York C. S. R. Association.		1.634.00	
Massachusetts C. S. R. Associati	on	1,050.00	
Pennsylvania C. S. R. Associatio	n	1,023.00	
Maryland C. S. R. Association		320.00	
Maryland C. S. R. Association Chicago C. S. R. Association		202.00	
Cincinnati C. S. R. Association.		210.00	
Missouri C S R Association		250.00	
Cambridge C. S. R. Association. Buffalo C. S. R. Association		100.00	
Buffalo C. S. R. Association		100.00	
Indiana C. S. R. Association		100.00	
Indiana C. S. R. Association Connecticut C. S. R. Association	1	100.00	
Wisconsin C. S. R. Association.		100.00	
Massachusetts Auxiliary		100.00	
Maryland Auxiliary		100.00	
New York Auxiliary		100.00	
Pamphlets Sold		36. 0 8	
m . 1.7	_		
Total League Receipts	\$	5,525.08	<i>((, 0</i>
GOOD GOVERNMENT Receipts	• • • • • • •	1,440.50	6,965.58
Disbursements:	_		\$7.373.93
	\$	1 650 00	
Salary of Secretary		000.00	
Salary of Clerks		1,161.77	
Rent of Office		525.00	
Printing		624.23	
Postage and Stamped Envelopes		310.28	
Stationery		107.73	
Office Expenses		164.70	
Traveling Expenses		183.74	
	_		
Total League Expenses	\$	5,627.45	
GOOD GOVERNMENT Expenses		1,204.57	6,832.02
Balance on hand			*\$541.91
L. & O. E.	4 5 1	RISSELL	
	. i. J. I		asurer.
_ *Of which \$175.31 is Special Fund	l of the	Comm	ittee on
Extension of Civil Service Reform.	. Or the	COMM	011
January 8, 1908. Aug	dited and	l found	correct.
W	a. G. Lov	Α'.	
Nei	LSON S.	SPENCER	
			mittee.

REPORT OF THE COUNCIL.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

For the first time in a number of years, we have no extensions of the civil service rules in the national government to report, nor, on the other hand, has any class

of employees been withdrawn.

The last branch brought under the rules by executive action was that of the deputy collectors of internal revenue, just before our previous annual meeting, and this extension was there reported. We have since ascertained that the number in this class is 1,126. In this branch, newly brought under the rules, as well as in all other parts of the service, the law and rules generally have worked well, owing, as the national Civil Service Commission says, "to the increasing spirit of co-operation shown by the heads of executive departments and officers generally."

In regard to the suppression of undue political activity among government employees, we note two mile stones as we progress. One is the policy established that no government employee even outside the competitive classified service shall, at the same time, hold an office in a party organization or allow his political work to interfere with his official duties. The other is the executive order giving the Civil Service Commission power to investigate cases of undue political activity of employees in the competitive classified service; among these

employees no political activity is permitted.

For instances of preventing the dual character of officeholders who are outside the civil service rules, last December, Mr. Collin H. Woodward, deputy surveyor of the port of New York, was required to resign either his public office or his party position as district leader of the 23d assembly district, New York City. Mr. Woodward

resigned his public office. Before resigning, however, a salaried berth was found for him by his political friends, in the New York State service, as deputy superintendent of elections, there being no law against political activity in the New York State service. The other prominent case was that of C. Wesley Thomas, collector of the port of Philadelphia, who was elected to the party office of chairman of the Republican city committee of Philadelphia. The League protested and he was required to resign one or the other. He resigned his party position.

To enable the Civil Service Commission to investigate within the competitive service, the President, at the request of the League, issued an amendment to the civil service rules, dated June 3, 1907, and since then five investigations have been successfully carried on by the Commission. In one important case, the deputy collector of internal revenue of Cumberland, Md., P. D. Cowden, Jr., resigned as chairman of his party county committee; in another, William R. Knight, Jr., on account of persistent political activity, was required to resign his office as shipping commissioner of the port of Philadelphia, and there were three more covering six individuals.

The case of Mr. Knight is both instructive and humorous. He was appointed in 1903 to the then unclassified office of shipping commissioner, through Congressional influence, as a reward for his successful efforts in breaking up by force a convention of the Union Party in Philadelphia in 1902, his efforts in this direction resulting in great advantage to the regulars. This man had proved himself far too valuable to be left out in the cold, and so the local machine took him in as assistant to the city Bureau of Streets and Highways. In the words of Good Government, "Federal or Municipal, shipping commissioner or assistant superintendent of streets, marine or inland duties, a job's a job for a' that!"

Last April, Mr. Archie Sanders was requested by the President to resign from the office of collector of internal revenue at Rochester, New York, on account of undue political activity in opposition to Governor Hughes, his activities amounting to neglect of his official duties. This request for resignation was asked for

neither by Governor Hughes nor by any one authorized by him. Mr. Archie Sanders is still in his office and no successor is selected, and perhaps he may be allowed to remain, but it is rumored that he is still allowing his political activities to interfere with his official duties. If this should prove to be the case his removal is most desirable.

This brings us to the consideration of the whole subject of the political status of Senate-confirmed officers. These include postmasters with salaries of over \$1.000 a year, collectors of customs and internal revenues, district attorneys, United States marshals, etc. President Cleveland's order against undue political activity is still in force; but, from the beginning, when President Cleveland removed Mr. Benton, a Democrat, and Mr. Stone. a Republican, in 1886, from their positions as district attorneys, the situation has been most unsatisfactory. Political activity is likely to loom up as interfering much more with official duties when it is exercised against the interests or wishes of an administration. It is then that the President's friends are likely to call his attention to Benton, the Democrat, was reinstated by President Cleveland, and Stone, the Republican, remained out of office. Officers of this class have, for at least 75 years, been appointed practically on the recommendation of members of Congress of the President's party, and have been considered as political agents of Senators and Representatives, paid by the government. President Roosevelt introduced a system of veto of unsuitable recommendation for appointment, and this has been one step in advance, but is only a step. Just how far these officials, who have been appointed for political reasons, and who are expected to do some political work, may go, without its amounting to neglect of official duties, it is almost impossible to decide; and the President of the United States neither has the time himself, nor is he furnished with the machinery, to make thorough investiga-President Roosevelt has established the policy, as already shown, not to allow such officials to hold positions at the same time in their party organizations. They must resign either one place or the other. This is a definite improvement. The whole situation of these Senate-confirmed officers, however, is still unsatisfactory. Paid out of the public treasury as high government officials, they are really campaign managers of members of Congress and chosen for political and not official fitness.

Now, as to a remedy. Under the Constitution of the United States, the President is to nominate and by and with the advice and consent of the Senate appoint these officials, and they cannot be made completely subject to the civil service rules and law without the Senate's con-But it seems not impossible to take them out of politics in another way, and for this we have an excellent precedent, recently set by the President of the United States, in the appointment of the postmaster at New Instead of going outside, as is usually done, and taking some political supporter, or friend of members of Congress on their recommendation, the assistant postmaster was promoted to the head of that great New York office. Does not this give us the key to the situation? Why not always promote some one trained in the department? If the assistant postmaster, or some other subordinate, is not sufficiently capable, then why not promote the postmaster from some neighboring office, when he has shown unusual capacity,—that is, fill these high positions by promotion on official records. This is substantially the English system, and in England it has succeeded in removing the postmasters wholly from political influences. As part of the plan it would be well to classify assistant postmasters under the civil service rules, following the precedent recently set of classifying the deputy collectors of customs. With such a system as this, we could kill several unsavory birds with one stone. Some of these unsavory birds are putting inexperience at the helm, making custom houses and postoffices political headquarters, forcing subordinates into political work, making political assessments on their salaries, evasions of civil service rules, and the worst postal department of any highly civilized country in the world. We should have, instead, experience where it would do the most good, the ambition of subordinates stimulated by the hope of promotion, the chance of which would

attract and hold bright young men, who now resign too early, or keep out of the government service altogether, and, should we fill some positions of assistant postmasters general also by promotion, we might then make our postal service in time one of the best among the

great nations of the world.

The policy established by the administration regarding the fourth class postmasters, not to make changes without good cause, which policy we commented on last year, has been extended according to Mr. Cortelyou, when he was Postmaster-General, to cases of presidential or Senate-confirmed postmasters. This is still another step in the right direction; but it is not embodied in any rule or order, and it is hardly to be supposed that the policy would be followed in case of a change of party, or

of influence within the party.

The extension of the law and rules to the fourth class postmasters, which can be done by executive order, and which we at one time looked for, has not taken place. The Civil Service Commission recommends this extension. After noting that only one-half of 1% of the rural free delivery carriers, who are appointed by competition, have been removed, and less than one-tenth of 1% for violation of the postal laws and regulations, and that, at the same time, it has been found necessary to remove 2% of the fourth class postmasters, though there has been no change of party, the Commission then says it "believes that with a few slight modifications the same system that is so successfully operated in connection with the rural carrier service could be applied to fourth class postmasters with equal benefits to the government and to the public." Several associations of fourth class postmasters have passed resolutions in favor of the plan. done at all, within this administration, it must be done soon, as the President has indicated, we understand, that he would make no considerable extension of the classified service at the end of his term. It has been calculated by experts that this classification will save the taxpayers at least a million a year, by getting rid of useless fourthclass offices, now kept up for political rather than postal purposes.

To take away the incentive for padding of payrolls just before the introduction of free delivery in a post-office, and its consequent classification, an order was passed by the President March 14, 1907, that no employees would be included in the classification who had been appointed less than sixty days before that took place, without the express consent of the Commission.

The situation in regard to special exceptions to the national civil service rules must give us pause. Some of us who advocated the system first are beginning to change our minds. The argument in favor was illustrated by the case of a Cabinet officer coming to Washington with a trusted coachman of years of service in the family. It was urged that it would be better to allow this driver to be appointed by special exception than to make the case an excuse for exempting drivers generally, or even taking the coachmen of Cabinet officers out of the rules. It was supposed that such exceptions would be few, and only for very strong reasons, as the law requires that the reasons shall be given in each case and printed in the annual reports of the Commission. However, the number of them has been steadily increasing, from 12 in 1902 to the rate of over 100 in 1907; 12, 1902; 43, 1903; 39, 1904; 70, 1905; 71, 1906; 85, 1907 up to September 28, or at the rate of about 100 for the year. In seven cases this year, the Commission reports that it was not informed of the reasons for the promulgation of the orders. The provision of law requiring the reasons to be published in each case of special exception is the great safeguard against abuse. We are glad to state that President Roosevelt on August 3d last, established the procedure that hereafter the Civil Service Commission shall be requested to prepare a draft for each special exception, and if the reasons in the request are not so complete as to satisfy every reasonable inquiry, the omission is to be pointed out to the President before the order is submitted to him for his signature.

But the reasons, even when given, are not always satisfactory. It was not originally proposed, for example, to allow charity appeals, but in the last nine months there were fourteen cases where the reasons

show the exceptions to have been made mainly, and sometimes wholly, on sentimental and charitable grounds. such as that the appointee was the widow or child of a faithful official, was the only one to support a decrepit war veteran and ex-official, or had several children and was in need. The order of Sept. 2, 1907, gives as the only reason for excepting two ladies, that they were "widows" of recently deceased clerks in the War Department, adding "The War Department made inquiries for the purpose of determining the qualifications of these persons, which were found to be satisfactory." We have often scoffed at the idea of the civil service law creating an office-holding class; but here we seem to have hereditary and family office-holding, or the government service made a sort of almshouse. All these sentimental and charitable exceptions were apparently made in the face of existing eligible lists of persons of proved capacity and fitness to fill the places.

If we once admit charity appeals, where shall we end? There are thousands of cases as deserving as some of these 15. We have felt obliged to say this much about the charity cases, especially as the President, a constant friend of the reform, has put himself on record as favoring them, provided there is no trace of political influence in the cases.

During the early part of 1899 many persons were found to be holding appointments contrary to the civil service law, sometimes having failed to pass non-competitive examinations, or not being submitted to them, and yet remaining in office. To take care of all these an omnibus or general blanket order was passed May 29, 1899, to allow all such persons in office to hold their places permanently and to be included in the classified service. To this blanket order there was a strong protest on the part of the civil service reformers, and we trusted that was the end of it; but, strange to say, it has now been given as the reason for making a number of special exceptions, on the ground that some persons irregularly in the service about May, 1899, had resigned just before, or for some other reason had not been included in the blanket order, and on account of this misfortune they are now at this late date given, by executive order, special appointment, in the face of eligible lists of

persons competent to fill the positions.

Many of the reasons given are of the plausible kind, that the appointee, for example, is unusually fitted for the place. Perhaps this may have been true in almost every case; but the President is not in the position to determine this satisfactorily. He has not the time to test the qualifications. General recommendations to office, we know by experience, are most unreliable, and the only means he has at hand to ascertain fitness is the Civil Service Commission, of which, by the very special exceptions, the President does not avail himself.

It might be interesting to look into these cases, and see what peculiar qualifications these persons have really possessed to make them better for appointment than those on the eligible lists. We have one marked instance, however, as to how the President, acting in the utmost good faith, may be misled. A special order of June 11, 1907, allowed a transfer from a position in the Isthmian Canal service, not entered by examination, as we understand it, to a classified clerical position in the United States, contrary to the usual rules (this was one of the cases where no reasons were given). This order had to be revoked on August 3, 1907, because the appointee proved to be, as stated in the reasons for the revocation, "addicted to the excessive use of intoxicating liquors," and was found to be "suffering from acute alcoholism." On the whole, no advocate of the principle of special exceptions can read the list of them for this year, with the reasons given and the omissions of reasons, and not be made somewhat melancholy. There are perhaps a dozen (the number allowed in the year 1902) that appear to be thoroughly reasonable, a few more probably so; but the greater number not by any means necessary, and some decidedly harmful.

Such a large number of exceptions must seriously discourage those who have taken pains to pass the rigid examinations now required. Each special exception makes it harder to repel the still lingering suspicion that notwithstanding the civil service law, appointment largely

goes by favor. Indeed it is a favor to be able to get the President's ear for any particular charity claim, and thousands of others equally deserving must go unheard. We feel that we must protest against many of these exceptions, as setting a precedent which may be followed to a still greater extent hereafter. Should we fail to protest now, we might be estopped from protesting then. We recommend a rule that at least no exceptions be made simply because the appointee is a relative or connection of a former officeholder, or upon charitable or sentimental grounds. It might also be a good idea to publish the number of exceptions requested by each of the several heads of departments, because some have made many requests, and others have made none. Some have tried to keep to the rules, even at considerable temporary inconvenience.

It often is possible to explain to capable persons the nature of the examinations, to remove their objections to entering them; how, for example, in the higher grades for scientific positions requiring executive and organizing ability, the tests used consist chiefly in an inquiry into the education, training and experience of the applicants, and in finding out what they have done to exhibit the possession of the required faculties. One Cabinet officer may take such a course while another may find it easier just to ask for exceptions. Sometimes, when there is no eligible list, a non-competitive examination would be sufficient under the law, but a Cabinet officer may find it easier to ask for a special order than to have his candidate submitted to examination. If the record of each department were kept separately, and the reasons for the exceptions asked for properly classified, we might still further diminish the number of requests for unnecessary special exceptions. By a letter dated Feb. 28, 1906, addressed to the heads of departments, the President expressed his urgent wish to diminish the number of special exemptions asked for, but this request has been more honored in the breach than the observance.

Turning our eyes for a moment towards Congress, we are glad to report that it has increased the salaries of the Civil Service Commissioners. We wish, however,

the increase had been larger. It was only from \$3,500 to \$4,000. The salary of these Commissioners should be made at least \$5,000. The appropriation for travelling expenses has been increased from \$8,500 to \$11,000. Congress failed as usual to pass any legislation to extend the civil service rules to the service of the District of Columbia. This legislation is recommended by the Commissioners of the District, and also by the Civil Service Commission.

The growing confidence of Congress in the reform of the civil service could not be better emphasized than by the proviso attached to an appropriation of \$150,000 for an investigation into the conditions of labor of workingmen and children, which is as follows: "No part of this appropriation shall be expended for the employment of any person in making said investigation who is not now in the employment of the government or hereafter regularly appointed after competitive examination and certified through the Civil Service Commission." This was wholly voluntary, not even being suggested by any civil

service reform organization.

Coming next to the Civil Service Commission itself. in our last report we noted with regret our loss in the resignation of the Hon. Alford W. Cooley, to take the appointment of Assistant Attorney-General. Hon. John Avery McIlhenny has since been appointed in Mr. Cooley's place. During the spring and early summer, Mr. McIlhenny, himself a Southerner, visited every Southern state in order to interest them in the reform, and to induce more from those states to enter the examinations. He saw governors, superintendents of public instruction, presidents of educational institutions, etc., made addresses, and had interviews published in the local papers. He endeavored to disabuse their minds of the popular delusion that none but Republicans need apply. He secured co-operation from school authorities, new courses are to be established to fit persons for the examinations, and it is believed that the quotas of those states will be more nearly filled than in the past. Much indirect good will also be accomplished.

As already stated, the investigations into the undue

political activity of classified competitive employees under the new rules have been carried out with success.

The tests for fitness are always worthy of notice. The element of time has been introduced in certain clerical examinations in order that quickness should count in the marking as well as accuracy.

It has sometimes been supposed that it takes longer to fill places under the civil service rules than by the old methods. During the Spanish War this argument availed for exempting by statute the extra emergency employees in the War Department, though, as a matter of fact, it took far longer to fill these places than it has taken the Commission to fill a larger number of similar positions. These positions were clerical.

But we have recently an illustration of how well the Commission has been able to fill higher and more responsible positions in large numbers with great rapidity. It was proposed, under the meat inspection bill in Congress, to exempt the inspectors. Owing to the opposition of the President, the Civil Service Commission, the League, and others, to that proposition, the inspectors were kept under the civil service rules. We are glad to state that 2,496 persons were examined in 200 places in the country, almost immediately after receiving notice from the Department of Agriculture, and in 26 days from receiving this notice 50 names were certified, and in a few days more all the rest, 825 in all, to the satisfaction of the department as expressed in a letter to the Civil Service Commission.

As to the civil service at large throughout the country and dependencies, we note that the Philippine Commission has been reorganized into a subordinate administrative bureau, which appears to us to be a change of, to say the least, very doubtful wisdom.

In Porto Rico a civil service law has been passed by the legislature, and was approved by the Governor March 14, to take effect January 1, 1908. It is of limited application, as it does not extend to the municipalities. The insular police force and teachers in the public schools are exempt from the provisions of the rules, but in each case they are subject to a modified competitive system created by special laws. Mr. Harry C. Coles, formerly an employee of the Federal Civil Service Commission as chief of the rural carrier division, has been selected as chairman and chief examiner of the Porto Rican Civil Service Commission.

The Governor of Colorado, on March 30th, signed a civil service law applying to state institutions and to the employees of the Commission itself, and to such cities as by popular vote would adopt its provisions. On the first commission two well-known civil service reformers have been appointed, Mr. Van Kleeck, its chairman, being a member of the Council of the national League.

In Illinois the various attempts to extend the state law have failed; but some changes improving the law, however, passed the legislature. The platform of the Republican party contained a pledge for the extension of the present Cook County civil service law; but, although the Republicans were in control, no such law was enacted.

The proposed new charter for the city of Chicago was defeated by popular vote. Chicago, by popular vote, had already adopted a civil service reform law. This new charter did away with the system of trial before removal, but there were many other matters in the charter beside its civil service provisions, and this provision was misrepresented by the opponents of the charter as a method of restoring the civil service to political control.

We have this year yet another instance of how the people of the middle west are appreciating the reform. The city of Springfield, Illinois, by a majority of two to one, voted to come under the provisions of the general civil service law of 1895, the same law adopted by the

citizens of Chicago.

Three sessions of the New Jersey legislature were held this year. An excellent civil service law, introduced by Senator Colby, after being considerably amended, was defeated in its final passage during the closing hours of the first session, owing to the defection of some of its alleged supporters. Governor Stokes, in his message to the legislature, had advocated the passage of such a bill. At the second session the Governor repeated his message as to the civil service law; but this bill met with practic-

ally the same fate as the similar bill in the first session. Public sentiment, however, has been aroused in the state of New Jersey as never before, and both the Democratic and Republican parties have a civil service plank in their platforms, a wholly new feature of party platforms in New Jersey, and the Republican candidate for Governor, just elected, has advocated the law.

In Iowa, Governor Cummins recommended to the legislature the adoption of a civil service law. No such law, however, passed. The city of Des Moines adopted a commission form of government, containing stringent

civil service provisions.

In Michigan four civil service bills were introduced at the last session of the legislature. One bill was modelled after the New Jersey bill and applied to the state, county and city service. Another applied to the county service, and two bills proposed civil service systems for the city of Detroit. All the bills failed. The constitutional convention to revise the constitution of the state of Michigan is now being held, and there is considerable agitation for the enactment of a civil service provision.

As to the State of Connecticut, the City Council of the city of Hartford proposed an amendment to the charter, providing a civil service system. The amendment was introduced into the legislature, but did not pass. New Britain had a precisely similar experience

with its civil service amendments.

In Massachusetts the bill allowing the application of civil service rules to some of the higher municipal offices failed to pass; but, on the other hand, the Spanish War Veterans Preference bill, opposed by the Civil Service Reform Association, was defeated in the legislature, though by only a narrow margin.

Turning next to Ohio we see, in Cincinnati, an independent movement, known as the Cincinnati Voters' League, has been started, and the establishment of a merit system is among its chief objects; and in Columbus the Board of Trade intends to work at the coming session of the legislature for a civil service law applying to every city of the state; and in Cleveland the Chamber of Commerce is investigating this same question.

In Indiana the last session of the legislature passed a law which tends to separate state institutions and politics, and may be said at least to open the way for a competitive system.

At Wheeling, West Virginia, on January 24th, a charter amendment was adopted by popular vote, applying the merit system to the fire and water works departments.

For the service of the District of Columbia the National Civil Service Commission has been holding informal examinations at the request of the District Commission. Permission for this was granted by President Cleveland in 1895. Suit has recently been brought to restrain this beneficial practice on the ground that it is illegal. This suit was dismissed on demurrer, but it is understood an appeal will be taken. As already stated, both the District Commission and the Civil Service Commission have reported in favor of legislation by Congress to enable the President to extend the civil service rules to the District.

In New York the use of exempted places for political purposes has been illustrated by the action of Mayor McClellan in the contest with Murphy for the control of Tammany, many of the officials under the Murphy influence having been removed and replaced by others. The use of these offices for such purposes illustrates the true motive of the claims that they should be exempted from the civil service rules.

During the year, Governor Hughes refused to reappoint Mr. Bender, the fiscal supervisor of state charities, so notorious on account of his reputation as collector of political assessments from state employees. All constructive civil service reform legislation at Albany has failed.

In Pennsylvania Governor Stuart, in his message to the legislature, recommended the passage of a state law, and also a law applying to second and third class cities and to the larger counties. The second-class cities bill passed, but the state and county bills were defeated.

Under the bill providing civil service systems for the cities of the second class, Mayor G. W. Guthrie of Pitts-

burgh has appointed a commission, and at the same time announced that all municipal employees must refrain

from political activity.

The City Council of Scranton, the other second class city to which the provisions of the bill are applicable, has so far refused to make the necessary appropriation for

the Civil Service Commission.

In Philadelphia, Mayor Weaver refused to reappoint Hon. Frank M. Riter when his term of office as Civil Service Commissioner expired, handing the appointment over to the mayor-elect. The election of Mayor Reyburn was not looked upon as favorable to civil service reform, and the Mayor's utterances and acts, particularly his summary and unjustifiable dismissal of Commissioner Cyrus D. Foss, Jr., have borne out the suspicion of his unfriendliness. Under the new rules for Philadelphia, established by the Reyburn Commission, requests for wholesale exceptions from the rules are promised us.

In Wisconsin we have the first report of the State Commission. It is a very valuable and interesting document. It shows that the law has resulted in economy, that the employees manifest greater attentiveness and efficiency, that they have been able to get well-qualified persons to compete for high grade positions which they were urged to exempt on the ground that they would be unable to fill them satisfactorily, and lastly, they have taken the stand that very few places need be exempted on account of their confidential nature, as there is "very little public business that is so secret and confidential as to require exemption from the civil service rules." A bill introduced into the legislature providing for the merit system in counties having a population of over 150,000 failed to pass.

Turning lastly to the League, we have to note the death of Mr. Jacob F. Miller on December 11, 1906. He was elected to the Council of the League that same year to succeed the Hon. Carl Schurz. He had been an active member of the New York Association since 1883, and chairman of its Executive Committee from 1807

until his death.

It has been the policy of the administration of the

League to shorten its publication, GOOD GOVERNMENT, mainly by condensing the news. By this and other means the paper has been made self-supporting, and its readers get the news with less expenditure of time. We believe the paper has lost nothing of its interest and usefulness, but rather the contrary.

The League has aided the Pennsylvania, Denver, New Jersey and Chicago Associations in their various efforts on behalf of civil service reform, and has drafted bills and revised rules and regulations in several states. It called the attention of the President and the Civil Service Commission to a number of cases of undue political activity before referred to, and the Secretary has personally visited several places, especially in New Jersey, where the contest for civil service reform was most active, speaking at public meetings and helping in other ways.

The Committee on Superannuation examined very carefully the plan of the Sub-committee of the Keep Committee for the retirement of employees on annuities. Its report was made in draft form to the Council at New

London, and is now submittel to the League.

The League sent a letter in December last to the Secretary of the Navy, urging action on suggested amendments to the Navy Yard rules. Secretary Bonaparte replied that he had decided not to act in view of his coming transfer to the office of Attorney-General; but asked to have the League state in detail the changes desired, which would be submitted by him to his successor. These changes in detail were then sent, and the League was advised later by Secretary Metcalf that he would be glad to confer with the Committee. Mr. Goodwin, the Secretary of our League, had an interview with Secretary Metcalf, the new Secretary of the Navy, on January 19th and again on May 15th. The Chairman of the Council had still another interview with Secretary Metcalf on June 21st, at which the Secretary requested that the League would suggest specific amendments to the rules. with the reasons therefor, to be submitted to him. League was very glad of the request, and these amendments have been prepared.

The consular reform, which has been pressed so long

by this League, and on which we reported at the last annual meeting, has advanced a further step through the holding of two high grade examinations, the first held March 14th, in which 10 out of 21 men passed, and the second July 9th, at which 13 out of 28 were accepted. A third examination is already scheduled.

The League's committee on special exceptions made a suggestion to the United States Civil Service Commission for various amendments to the rules, by which it was hoped to obviate the yielding to these requests for exceptions in the future. One of the points was to allow permanent appointment on a non-competitive examination in case no eligible lists were on hand, and none could be obtained after proper advertisements. But it was found that, although there was no specific rule, the Commission construed, and we believe rightly construed, the law allowing this very thing to be done, and that the exceptions making temporary appointments permanent were granted either in the face of eligible lists or without any effort to obtain eligible lists, or because of failure to submit the candidate to a non-competitive examination.

As to the field work, neither the Secretary nor any of the members of the Council have made any long journey to distant parts of the country on civil service reform propaganda, but much work of that kind has been done, as already stated, in Pennsylvania and New Jersey, and a good deal by correspondence. We all feel that more of this field work should be undertaken, and just how much should be appropriated for the purpose, and just how it should be carried on, is a matter for the League to decide. There still remains much work before us, both in holding fast what we have, and extending our cause to new fields, and it will be many years yet, we fear, before the time will come when we may say that our work is done.

Respectfully submitted,

RICHARD H. DANA, Chairman of the Council.

RESOLUTIONS OF THE LEAGUE.

1

The League again expresses its earnest appreciation of the determined and effective enforcement of the civil service law and rules by President Roosevelt.

2

The League notes with satisfaction that Congress gives evidences of stronger support of the President and Civil Service Commission, and of the principles of the merit system.

3

We call attention to the fact that the competitive system has removed a great burden from Senators and Representatives. We urge Congress to take such further steps as will relieve its members entirely from the unprofitable labor of distributing patronage, thus leaving each his entire time to devote to examination of public questions and legislating thereon.

4

We urge the President and Congress to provide for competitive classification of assistant-postmasters, pension-examining surgeons, and fourth-class postmasters, and further to provide so that all other postmasters and all collectors of customs and of internal revenue shall be appointed by promotion, thereby abolishing the present practice of appointing inexperienced persons to those places.

5

We urge the President to make such amendments to the civil service rules, as will reduce to the minimum the practice of making special exceptions thereto.

6

We recognize the progress made in the introduction of the merit system into the public service of American dependencies and we urge that the system be made to cover all of that service both general and municipal, to the end that the spoils system may not become rooted anywhere therein and thus make necessary a long struggle to overthrow it.

7

The League calls attention to the fact that the operation of the civil service law has neither caused nor increased superannuation among government employees; that the percentage is not increasing and that the loss is less than 1% of the salaries paid. The League emphatically approves of the report of its superannuation committee and is earnestly opposed to any system of retirement or civil pension requiring any considerable draft upon the public treasury.

8

The League continues its support of the administration and the commercial bodies of the country in the struggle for Consular Reform, in which so much has already been accomplished, to the end that the Consular Service may be removed from politics and put on the basis of merit and good public service.

Q

The League approves the policy under which many of the Indian agencies have been put in charge of appointees classified under the competitive system to the great benefit of the wards of the country and to the public business and urges the extension of this policy to the remaining Indian agencies.

10

The country is to be congratulated upon movements in so many states and cities to establish a reformed civil service system. We believe the most effective weapon to abolish patronage is the competitive system now so thoroughly established in the federal service. Its efficiency, simplicity and economy have been completely proved after long trial and we commend it to all seeking to better municipal or state service.

SUMMARY

of the

Report of the Superannuation Committee of the National Civil Service Reform League on the Plan of Old Age Pensions formulated by the Sub-Committee of the Keep Committee on Department Methods.

The Facts.

The superannuation reports of the League in 1901 and 1906 show that

- (a) the operation of the Civil Service Law has neither caused nor increased superannuation;
- (b) superannuation in the national civil service is small, only 1.2 per cent. of the employees being over 70 years of age;
 - (c) this percentage has not been increasing;
- (d) the total loss through old age inefficiency, expressed in terms of salary, is less than 1 per cent. of the saiaries paid; and that
- (e) there is no such pressing need of old age provision as to involve the government in any considerable expense.

The Keep Sub-Committee's Plan.

The plan of the Sub-Committee of the Keep Commission seeks to provide for old age mainly

By the government hereafter holding back each month a portion of the salaries due its employees and ultimately repaying these forced loans with 4 per cent. interest compounded annually; and

By giving to each employee already in the service when the plan goes into effect (and whose salary up to that date will, of course, have already been paid) as a pure gratuity on his attaining the retiring age in the government's service a supplementary annuity a little larger than it the plan had been in force when he entered the government's employ.

The total cost of these supplementary annuities it is estimated will be in the end from \$50,000.000 to \$60.000.000.

Each employee]hereafter separated from the service for any cause, at any age, and in case of death his estate, is to receive back the amount of his forced monthly loans with 4 per cent. compound interest.

Criticism.

- (1) Resignations are far too numerous now among the more efficient amounting to almost 8 per cent. of the whole number of employees annually. (See p. 73.)
- (2) The holding back by the government of a portion of an employee's salary with a guaranty to return it at any time with 4 per cent. compound interest if he leaves the service offers a premium for his resignation. (See pp. 72-73.)
- (3) A good pension system will not only weed out the superannuated but will tend at the same time to keep in the most efficient, and will not give special inducements to the most efficient to resign, leaving the least efficient, not good enough to be in demand outside, as the only ones to remain in the service until old age. (See pp. 72-73.)
- (4) It might prove an economic gain to the government to make the proposed gratuity of fifty to sixty millions of dollars, which the plan provides shall be distributed among those now in the service and remaining until they attain the age of seventy, provided that this were the only expense of the plan and that without further burden upon the taxpayer this expenditure would surely eliminate from the service inefficiency through superannuation. But sixty million dollars are an insignificant matter in comparison with the enormous cost of the whole plan. (See pp. 71, 75-78.)
- (5) The 4 per cent. compound interest proposed to be paid to its employees by the government, which pays

only 2 per cent. on its bonds sold to outsiders would cost the taxpayers several hundred millions of dollars before even those now in the service had all died. (See pp. 75-77.)

(6) The government is to pay annuities based upon what insurance companies earn from their investments. This is very much in excess of anything the government can be said to earn. This involves a heavy loss to the taxpayer. (See pp. 77-78.)

Recommendations.

- (1) The League recommends again the Australian system, under which the government employees would be required to take out deferred annuities from insurance companies, payable at the age of 70,
- (2) to be supplemented by a gift of annuities from the government to those already in the service, as in the Sub-committee's plan,
- (3) the insurance companies to make deposits from time to time with the United States treasury to secure these annuities.
- (4) and also to issue these policies at reasonable rates, before being allowed to undertake the business.
- (5) These annuities can be made as varied and flexible as in the Sub-committee's plan;
- (6) and the policies can be so arranged as to discourage resignations during years of usefulness.
- (7) Such a plan will cost the government nothing beyond the expense of providing, under proper conditions and restrictions, annuities for those now in its service, as is contemplated by the Keep Sub-Committee; the amount of each annuity being proportionate to the length of service already rendered when the plan goes into effect and its payment conditioned upon the employee remaining in the service until superannuation or permanent inefficiency due to no fault of the employee. (See pp. 79-82.)

12.7 ·

[REPORT IN FULL]

Report of the Superannuation Committee of the National
Civil Service Reform League on the Plan of Old
Age Pensions formulated by the Sub-Committee of the Keep Committee on
Department Methods.

THE FACTS.

There has been a persistent agitation in recent years to secure the enactment of some form of civil pension or retirement annuity law to remedy the evil, asserted to be very great, of superannuation in the civil service of the United States. The Council of the Civil Service Reform League in 1906 made an investigation as to how far the civil service law was responsible for the existence or alleged increase of superannuation in the service, and the cost to the public treasury through the inefficiency of superannuated employees. In September, 1906, the Council published a report of its investigation. None of its statements of fact has been contradicted. Among these facts are the following:

The civil service law was passed in 1883, and for at least three-quarters of a century prior to its enactment superannuation among the civil employees of the government had been well known and frequently commented upon; (1)

Only 5.1 per cent of the employees over 65 years of age now in the service entered it through com-

petitive examination; (3)

⁽¹⁾ League's Superannuation Report of 1906, pp. 2-3.

⁽²⁾ Twenty-third Report U. S. Civil Service Commission, pp. 11-12.

The percentage of employees over 70 years of age in the civil service has remained about the same since 1893, the only period during which we have official statistics on the subject; (*)

That percentage is only 1.2% of the executive civil

service throughout the country; (4)

Under the civil service law and rules, inefficiency from superannuation is ample cause for removal, and such removals are in fact made, to the advantage of the service. In practice, however, responsible officials hesitate, and always have hesitated, to make such removals, when they result in leaving old employees without means of support. But the retention of employees in the executive civil service of the United States is no longer than in the service of such great railroads as the New York Central and the New York, New Haven and Hartford; (*)

At the time of the Council's investigation the separations from the service were taking place at a rate that, if applied to the whole service, would change its personnel every 12½ years; at the rate now obtaining the personnel of the service would change every eight years; by far the greater number of these separations is due to the resignations of employees who have entered through competition and who find better positions in private em-

ployment; (*)

The government's civil employees over 70 years of age do three-fourths of the maximum quantity of work

performed by a thoroughly efficient employee; (')

The government's loss from inefficiency of its employees now over 65 years of age, expressed in salary, does not exceed \$1,200,000 a year, a fraction of 1% of its annual payroll. (')

⁽a) 20th Report U. S. Civil Service Commission, p. 168.

^{(4) 21}st Report U. S. Civil Service Commission, pp. 29-30.

^{(*) 21}st Report U. S. Civil Service Commission, p. 29.

^{(4) 22}nd Report U. S. Civil Service Commission, pp. 248 and 253 and 23 do., pp. 12 and 13 and 168.

^{(&#}x27;) 23rd Report U. S. Civil Service Commission, pp. 11-12.
Assuming the same relative efficiency in the service outside of Washington for persons of same age, the total loss would be \$1.200.000. See League's Superannuation Report, 1906, p. 6.

In brief, the investigation of the Council proved that the charge that the civil service law either caused or aggravated the evil of superannuation was baseless; that the proportion of superannuated employees in the public service was very small and was likely to grow smaller, and that any loss sustained by the government through their inefficiency was a matter of very minor importance compared with the enormous cost to the public treasury under any plan that had been suggested of retiring them on pensions or annuities.

A NEW SUPERANNUATION PLAN IS PROPOSED.

Since this investigation by the Council of the Civil Service Reform League, the civil employees of the government who are advocates of old age pensions have been searching for a plan inexpensive to the government and free from the admittedly grave objections to which all their previous plans were open. Sometime ago the President appointed a committee of government officials to investigate and report on Department Methods. committee, known as the "Keep Committee" from the name of its chairman, has in its turn appointed a Sub-committee on Personnel. This Sub-committee, consisting of seven members, all civil employees of the government, has recently reported a civil pension plan which it claims is based upon the sound principle that "The funds necessary for the payment of the annuities should be furnished by the employees themselves without expense to the government, other than the payment by the government of a reasonable rate of interest on the money held by it, and the payment of salaries to the clerical force required to keep the accounts and distribute the fund." The Sub-committee urges the retirement upon annuities of aged civil employees of the Government (1) to improve the service by avoiding "the progressive inefficiency of aged employees" (2) as an act of justice, since the salaries of the government civil servants are seldom sufficient "to enable them to lay aside anything for old age." It, therefore, recommends the enactment of a law compelling each employee to lend a portion of

his pay each month to the government which is to repay to him, on his separation from the service for any reason, the amount of these compulsory loans with interest at four per cent, compounded annually.

The plan in its essential features is as follows:

THE ESSENTIAL FEATURES

of the Superannuation Plan recommended by the Sub-Committee on Personnel of the Committee on Department Methods (The Keep Committee.)

First.

To every employee entering the civil service after this plan shall have been acted into law, and remaining in the service until he is seventy years old, the United States government shall pay an annuity for the remainder of his life. This annuity shall be ascertained by adding together one and one-half per cent of the salary that he has received each year while in the service. Thus, to adopt the Sub-committee's illustration, if the employee enters the service at the age of twenty and receives each year the same salary, the amount of his annuity will be precisely seventy-five per cent. of his salary; e. g., if this salary was \$1,200, his annuity will be \$900.

Second.

To provide the funds out of which to pay these annuities each civil employee shall be compelled to lend the government such portion of his monthly pay as would, if invested at four per cent. interest compounded annually, produce, when the employee is seventy years old, a sum that would purchase the annuity in question from any solvent insurance company that issues annuity policies. Taking the same illustration as before, an employee, who enters the service at the age of twenty and receives \$100 from the government each month until he is seventy years old, would be compelled to make a monthly loan of \$3.57 to the government. The sum invested

each month, until he becomes seventy years of age, at four per cent, compounded annually, would produce, at the end of fifty years, \$6,678; and anyone seventy years old can buy an annuity of \$900 for the rest of his life by paying \$6,678 for it.

Third.

If the employee is separated from the service for any reason before attaining seventy years of age, the government shall repay to him or his estate in cash the amount of his forced monthly loans, with interest at four per cent. compounded annually.

If such sum amounts to at least \$1,000 and he has been in the service twenty years or more, or the employee is seventy years old, he has the following options:

- I. Repayment in cash of his monthly loans with interest at four per cent. compounded annually,
- 2. An annuity from the government for the rest of his life equal to 11/2% of each year's salary received,
- 3. Such an annuity from the government for the rest of his life as the accumulated sum of money would buy from an insurance company, if there be a provise in the policy that, in case the annuitant dies before this sum with interest be exhausted by the annuities paid, the balance shall be paid to his estate,
- 4. Such annuity as it would buy for a fixed term with no further claim against the government in case the annuitant dies before the expiration of the term.

Fourth.

Each employee not yet seventy years of age already in the service when the plan of the Keep Sub-committee is enacted into law shall be compelled thereafter, precisely as if he were a new employee, to lend the government such portion of his monthly pay as will provide an annuity at seventy years of age equal to one and one-half per cent of each year's salary received after the enactment of the law.

To cover the period of his service before the enact-

ment of the law the government shall give as a pure gratuity to each employee—if he is already seventy years of age retiring him at once—an annuity equal to one and one-half per cent of his average annual salary from the government during the ten years next preceding the enactment of the law, multiplied by the number of years he has been in the service, prior to the law's enactment. If he is not yet seventy, he must remain in the service until he attains that age in order to receive this gratuity. For example, if when the law is enacted he is forty years of age, has been in the service fifteen years, and during the last ten years has received an average annual salary of \$1,200 the government shall give him, as a pure gratuity, when he is seventy years of age, provided he remains in the service meantime, an annuity equal to fifteen times 1.5% (i. e. $22\frac{1}{2}\%$) of \$1,200, or \$270 a year. This government gratuity to those already in the service, it is estimated will cost from fifty to sixty millions of dollars by the time the last employee now in the service is dead. (*)

COMMENTS

On the Superannuation Plan of the Keep Sub-committee.

Any plan for old age provision needs the most careful criticism before its adoption. Once adopted, it will be regarded as in the nature of a contract between the government and the employees entering the public service under it, and it cannot well be altered later in any way to make its provisions less onerous to the taxpayer, or less advantageous to the employees.

Direct Gratuity.

The Sub-committee devotes a large amount of explanation and argument to support of that portion of its plan which involves an estimated expenditure by the

^(*) The highest possible cost is estimated to be \$66,985,778, the greater part of the expense being incurred in the first 50 years, but resignations and removals among those now in the service will, it is supposed, bring this total to below \$60,000,000.

government of fifty or sixty millions of dollars in order to put the employees already in the service on an approximate parity with those entering the government's employ after the plan is enacted into law. And, if the rest of its scheme will withstand careful examination and reasonable criticism, this recommendation of the Subcommittee does not seem to us to be open to serious objection. Indeed, if, as the Keep Sub-committee clearly implies, the expenditure of fifty or sixty millions of doilars distributed through a long series of years would be the only cost to the government of ridding itself of all loss through the inefficiency of superannuated employees, it is possible that the expenditure mentioned might even be an economic gain to the taxpayers. But those portions of the plan which are open to most serious objection and deserve the severest criticism are either not discussed by the Sub-committee at all or only very slightly.

A Premium on Resignations.

For example, it is an integral part of the Keep Subcommittee's scheme that whenever an employee is separated from the government service for any reason he shall be entitled to receive at once in cash the entire amount of his forced monthly loans to the government with four per cent interest compounded annually, and if this should amount to as much as \$1,000 he has certain further options which we have already mentioned in our synopsis of the sub-committee's scheme.* is a direct inducement to and premium upon resignation of the brightest and most enterprising of the government's civil employees. A pension system needs for its iustification two distinct advantages, first, it rids the service of the superannuated, and second, it tends to keep in the service the capable through their years of usefulness by offering them a greater pecuniary advantage if they stay than if they resign. Under the plan which we are examining, employees in the prime of their usefulness get just as much advantage, pro rata, from

^{*} See pages 69 to 71 supra.

their loans to the government if they resign as if they stay on. Indeed, getting a lump sum at once, instead of having to wait for many years, would be, to many persons, a distinct privilege. In our last report, we stated, "Any retirement scheme which provides for refunds is objectionable because it puts a cash premium upon resignation." The Sub-committee tried to meet this by saying that our objection was "predicated upon the theory of a flat assessment of 5% or some such rate upon all salaries, and has no application to the plan of accumulated individual savings here described." Our objection was not based upon any such flat rate assessment alone; it was an intensely practical objection. We believe that any plan through which the government undertakes to make provision for the old age of its employees should furnish some inducement to prevent resignations of its employees in the prime of life.

This subject of resignation is no small matter. United States Civil Service Commission, in its 23rd Report (p. 12) complains of the great "loss of valuable employees after they have acquired experience;" and in the last report of the League on superannuation (in 1906), we called attention to the fact that the deaths, resignations and removals for the year 1904-5 (the latest data then obtainable), in the competitive classified service, amounted to over 8%, the resignations alone being nearly 6% (p. 4). The data for the very next year, 1905-6, show that the percentage of separations has increased to 12.6%, (°) and of resignations to nearly 8% (°); and more significant still, this 8% is mostly among the most capable in the very prime of life, who are tempted to leave the service for better positions outside. To meet this condition, the provisions of a well considered scheme should be so planned as not only to

^(*) See 23rd Report, U. S. Civil Service Commission, p. 13, for number of competitive positions (average about 178,000) and p. 168 for resignations (13,934) and separations 22,433, not including 13,883 by transfer of temporary appointments and special cases, which are deducted from the total of 36,326 separations before figuring out the 12.6 per cent.)

weed out the superannuated, but, at the same time, to keep in the most efficient, and not to give special inducements to the most efficient to resign, and let the least efficient, not good enough to be in demand outside, be the only ones to remain in the service until old age. The present plan, it appears to us, even if it should get rid of the superannuated, tends at the same time to increase rather than diminish the loss of the younger and more capable civil servants.

Employees Treated Separately.

The plan of the Keep Sub-committee resembles that recommended in 1901 and 1906 by the Council, in so far as it would compel employees to provide for old age by taking out deferred annuity policies. Such a plan has many advantages over a system of direct pension or of payment out of a general fund made up of deductions from salaries. The fact that each employee is treated separately very much lessens the danger of increasing pensions en masse, or of repeating the experience of other countries of presently finding the general fund insufficient through unforeseen burdens upon it.

Incapacity Before Retiring Age Reached.

Another advantage of the proposed plan, which also exists under the scheme proposed, by the League in its last two reports on this subject, is the power to get rid of those who become inefficient through ill health or old age, but who have not yet reached the retiring age, without exposing them to destitution. This is a great advantage over the pension system as it usually exists, where unless one is allowed to stay until the retirement age, (except in some cases of injury incurred in the service), old age provision is lost. We learn, from experienced government officials in the British service, that, if some such power as this existed, it would enable them greatly to increase the efficiency of the government service.

Enormous Cost.

But the Keep Sub-committee differs radically from the Council in recommending that, instead of an insurance company organized and equipped for the purpose issuing the annuity policies as a part of its ordinary business, the United States government should issue the policies. Apparently the Sub-committee believes this to be an extremely simple and innocent proposition, for it says that "the fund necessary for the payment of the annuities should be furnished by the employees themselves, without expense to the government, other than the payment by the government of a reasonable rate of interest on the money held by it, and the payment of salaries to the clerical force required to keep the accounts and distribute the fund."

Waiving all discussion of whether the expense of a clerical force competent and adequate "to keep the accounts and distribute the fund" would be so slight as to be neglegible—though this seems to us at least doubtful when we consider that these accounts will involve transactions with scores upon scores of thousands of separate persons—we pass at once to a fundamental error of the Sub-committee which vitiates its entire scheme.

The part of the proposed plan to which we wish to call special attention is the "reasonable rate of interest" to be paid by the government on all "loans" to it by its employees to establish annuities. This is passed over in the report as if it were a small matter, the Sub-committee contenting itself with fixing four per cent compounded annually as too obviously "reasonable" to require argument or explanation though it gives an abundance of argument and explanation to justify the expenditure by the government of the fifty or sixty millions needed to take care of those who may be already in the service when the proposed plan is enacted into law, as if these millions would be, if not the only, certainly the greatest part of the cost to the taxpayer if the sub-committee's plan were followed. Now, the proposed plan contains no provision for allowing these deductions from salary loaned to the United States government to be invested, so as to secure a net return to the government. How much, then, can the government earn on these loans to it? If at any time the government does not need to borrow these sums, or any part of them, how can it be said to have any use whatever for them? Even assuming that the government should need to borrow these amounts of money, it can only save what it would have to pay, were it to borrow equal amounts on its bonds in the open market. In other words, it can afford to pay as much interest to its employees as to other lenders. The proposed plan, once inaugurated, will outlast all who are now living and who shall say what rate or rates of interest the United States will pay on the money it borrows during this long period?

Let us assume that in the long run the United States government may have to pay as much as 2%. (10) Taking the illustration furnished by the Sub-committee, a person entering the service at the age of twenty and receiving a salary of \$1,200 a year till the age of 70 would be entitled to a pension of \$900 a year, which would cost \$6,678, or to that sum in cash. To furnish this \$6,678, \$3.57 monthly or \$42.84 a year is taken from his salary, amounting in all to \$2,142 in the course of fifty years. As calculated by the actuaries employed by the Sub-committee, the interest on these monthly loans at 4%, compounded annually, amounts to \$4,536. Interest at 2% for the same period, compounded annually, would amount to only \$1,430. The cost therefore to the taxpayer for this one annuity, above what the government would be paying in case it should need to borrow, is \$3,106. If the government does not need to be a borrower during any of the period, then the cost to the taxpayer of such annuity is \$4,536.

Now, how many such cases are there likely to be? As to those already in the service, their ages are ascertained, and it can be calculated on life tables how many will arrive at the age of 70; but even as to them, no one knows how many will resign or be removed before that age; and as to those entering the service hereafter, there

⁽¹⁰⁾ At present it is paying less than 2 per cent.

is the further difficulty that their ages are unknown. It is, therefore, impossible to calculate exactly what this cost will be. (") We know, however, that there are 184,178 in the competitive, classified service now and that it is growing at the rate of over 14,000 a year. (") It will not be long, at the present rate of increase, before the competitive service alone will reach 250,000. In the practical working out of this plan there are other incalculable factors of expense. The plan applies not only to those actually in the service at any given time, but to all persons who for no matter how short a period have been in the service after the plan goes into effect.

To give a general idea of how much these payments of interest of one kind or another may cost the taxpayer under the proposed plan, let us put it in this way. Every time the government shall have complied with the requirements of the Keep Sub-committee plan in a sufficient number of cases (through employees reaching the retiring age or being separated from the service for any reason before that age) to make them equivalent to the settlement of the demands of 100,000 employees as set forth in the Sub-committee's typical illustration, the taxpayer will have paid as a bonus or gratuity the huge sum of \$310.600,000 in excess of the cost on the 2\% compound interest basis, of borrowing the same amount of money from others than its own employees; and should it not need to be a borrower the cost to the taxpayer would be \$465,980,000. In comparison with these enormous amounts, the fifty or sixty million gratuity referred to in the report with so much emphasis, is a very insignificant matter.

Added Expense.

But this is not the only expense in the way of high rates of interest. The retiring employees at the age of

^{(&}quot;) Compound interest during two periods of 25 years each, for example, is less than during one period of 50 years on the same sum and at the same rate. Therefore, resignations and removals tend to reduce the amount of compound interest.

⁽¹²⁾ See 22nd Report, U. S. Civil Service Commission, p. 138, and 23rd Report, p. 13.

70. as well as certain others who may be separated from the service as above explained, have under the Sub-committee's plan a right to an annuity based upon the annuities that insurance companies can pay. Those insurance companies now earn net compound interest at 4%, and they calculate that they can with certainty earn, for long periods in the future, at 3% net, while the government earns nothing and can borrow at 2%. Now, by the plan of the Sub-committee of the Keep Commission, as already stated, annuities might be claimed, not only by those who have arrived at the age of 70, not only in the case of railway mail clerks and letter carriers, on account of the more strenuous demands on their physical strength at the age of 60 or 65, but by any one who has been twenty years in the service, and whose forced loans to the government at 4% compound interest, amount to Therefore the government may be paying annuities to persons in the prime of life, no longer in its service, the annuities to be kept up during the rest of their earthly existence, and all on a higher basis of interest than the government can borrow money.

Thus the government acts, under the proposed plan, first as a savings bank for its employees, paying far higher rates of interest than it pays for money it borrows from outsiders and then as an insurance company, issuing annuities based on a greater rate of interest than any possible income on savings from withholding a part of its pay roll. This loss as a savings bank has been mentioned in the Sub-committee's report as a casual matter, hardly worth consideration and its loss as an insurance company has been altogether overlooked. Yet these losses are serious, the savings bank loss alone running up,

as already stated, into the hundreds of millions.

It is clear from the above estimates of cost that the indirect gratuities in the way of high rates of interest will many times exceed the total saving from getting rid of the inefficient superannuated.

Minor Criticism.

Apart from the main criticism of the great cost of the huge indirect gratuity to its employees by paying them higher rates of interest than the government pays to others, there are several relatively minor, but very important criticisms to the Keep Sub-committee plan. For example, why is the direct gratuity of the government to its present employees based upon the average salary of the last ten years instead of the salary actually received during employment? To illustrate, suppose a public servant to have been fifteen years in the service, that, during the first five years, his salary was \$700 and for the last ten years had averaged \$1,300. Why should the gratuity be based on \$1,300 a year instead of ou \$1,100, especially when everywhere else in the plan the annuities of the employees, both those now in the service and those entering hereafter, are based upon actual salaries received?

THE AUSTRALIAN SYSTEM RECOMMENDED AGAIN.

In view of these various considerations we again recommend most emphatically, should any provision for old age pensions be deemed necessary, the Australian system of requiring employees to take out deferred annuities in solvent insurance companies, engaged in the annuity business, which can earn fair rates of compound interest on safe investment of the sums paid them, instead of making the government a combined savings bank and insurance company, at an enormous loss, as in the proposed plan of the Keep Sub-Committee.

Not Arbitrary.

The Australian method, which we have recommended is criticised by the Sub-committee of the Keep Committee as "forcing employees to purchase annuities from insurance companies under arbitrary conditions, and at prices that might be exorbitant." The conditions need be no more arbitrary than those contained in the plan of the Keep Sub-committee, which would have the United States government act as the insurance company. In our report issued in 1901, we suggested several optional forms of insurance, of which the employee might

avail himself. In our report of 1906, we referred only to the cheapest and most essential form, without by any means limiting it to that form alone.

Cost to Employees Commercially Reasonable.

The more serious objection that the price might be exorbitant leads us to enlarge on some ideas we only suggested in our last report. No small part of the cost of insurance, arises from the solicitation of agents, the advertisements, the persuading people that it is to their interest to insure, and the collection of the premiums. All of these heavy items of cost would be eliminated if the Australian plan were adopted. And the government before accepting for its employees the policies of any insurance company could require the company not only to make deposits of investments with the United States Treasury to secure the payment of the policies, but also to make rates that are reasonable both to the companies and to the insured, in view of the greatly lessened expense to the company of transacting this class of business. (12) With a view of securing better rates for this class of insurance for persons of moderate means, a law has been recently passed in Massachusetts allowing savings banks to undertake the business of issuing old age policies. This law promises to work well. If it does, it will doubtless be extended to other states, and we shall have in it just what is wanted to secure reasonably priced policies under the Australian system.

Practicability.

If existing insurance companies, or future savings bank insurance departments cannot be found to make suitable policies at reasonable rates, the government might charter a company for this purpose, just as it has chartered national banks. This company could be compelled to deposit securities with the United States Treas-

⁽¹²⁾ To be sure the commissions paid agents on securing annuities are less than those paid for securing life insurance, yet the saving is considerable.

ury, to be subject to United States inspection, and to be limited in its investments to safe classes of securities. just as the savings banks in several of the states are so limited by law. We are told, on very good authority, that such a company could easily be started on the same basis that savings banks are started, viz: certain guaranty funds to be furnished by the founders and ultimately withdrawn, all the net profit, above a reasonable return on these guaranty funds inuring to the benefit of the government employees insured. But there is no doubt that existing companies can be found which would make such special (14) and reasonable rates to the government employees for the business is a large one. well worth bidding for; the approval by the government of a company as safe for this work would be a valuable advertisement for any company; and if this plan works well with the government, railroads and other corporations employing large numbers of persons would be likely to adopt it, which would bring in still more of this special kind of business to the companies.

Flexibility.

As to the forms and details of the annuity policies, if it is deemed best to require that all moneys with interest compounded at fair rates or in other words the cash value of the policies should be returned to the employee or his estate on death, or separation on the ground of inefficiency caused by illness before the regular retiring age, such provision could be inserted in the policies. We should strongly urge, however, that resignation or removal for any other cause than permanent inefficiency due to old age or ill health, (for example, resignation to secure a better position elsewhere, or removal for misconduct or wilful neglect) should entitle only to a paid up policy, based on premiums already paid, to be good

⁽¹⁴⁾ Existing laws prevent special rates, even in the District of Columbia, but an act of Congress must be had for such a scheme, provision could be made in it allowing a special rate authorized by the government for this special class of business.

at the retiring age only, with the option of carrying the policy to the full amount by additional payments. Also, options might be given to those retiring at full age, or under a certificate of permanent inefficiency, either for the cash value of their policies as they stand at the time, or an annuity with certain payments to be made, as suggested in the report of the Sub-committee of the Keep Commission. Thus we should have a system as flexible as that proposed in the plan we are now criticising, without any cost to the government, except such as might be incurred by the government itself in assuming the expense of providing under proper conditions and restrictions for annuities for those now in its service, the amount of each annuity being proportioned to the length of service already rendered when the plan goes into effect and its payment conditioned upon the employee remaining in the service till superannuation or permanent inefficiency, due to no fault of the employee, just as in the Sub-committee's plan; and we should have a system which would check the rapidly growing number of resignations among the most efficient employees of the government.

HORACE E. DEMING,
RICHARD HENRY DANA,
HENRY W. HARDON,
LUCIUS B. SWIFT,

Committee.

DISCUSSION.

Mr. Pickens Neagle:

I thank the committee very much for giving me an opportunity to mention a few of the points that we think are in favor of the Keep Commission's plan. In the first place it seems to me that the importance of this matter of superannuation among the federal civil service employees is underestimated by the League's committee. The figures on which they base their estimates, the statistics furnished them, must, in my judgment, be inaccurate or not thoroughly given to the committee. Mere figures cannot be relied upon to accurately and properly represent the true conditions as they exist. The matter of

superannuation, as the committee's report points out, was previous to the civil service law of 1883, notorious. that year the employees themselves have found it sufficient to attract their attention. They are associated with it intimately, they know the conditions, they know it on its own heath; they perceive the importance of superannuation and have endeavored by means that might be found for them and at their own expense to provide retirement for superannuated people or people incapacitated from other causes. And the President and his Cabinet, who are on the ground, familiar with the matter of superannuation, and the capacity and the efficiency of the clerical force, have deemed it of sufficient importance to undertake to provide means for retirement. It seems to me that these facts argue very strongly that the matter of superannuation is of more serious consequence and more importance than the sub-committee of the League conceives.

They state that the civil service law has neither caused nor increased superannuation. I did not know that anybody ever supposed that it had. I do not see how they could have supposed it. In 1883 the civil service force was in a certain condition. At the time the law went into effect there began to be injected into the service younger people, those that were already in the service were allowed to grow old and as vacancies were made by the older people they were filled by young people, at the bottom, and there has thus been created a chasm between the civil service appointees and those previously in the service. If you will pardon me I will illustrate it by my own case. I was appointed under the civil service law 20 years ago, and I fancy that I lack yet a great deal of being superannuated, and I think that I am typical of the vast majority of the appointees under that law. There has not yet been time for the civil service law to either cause or increase superannuation, but after there has been time, sav 25 or 30 years, the effects of the civil service law will begin to be felt in that direction, and I am convinced that superannuation will then be abundant.

The committee says that the percentage of superannuation is only 1.2%. As I understand it their figures are taken from the report of the Census Office, designated as Bulletin No. 12, and in that bulletin it is stated that there are about, as I remember it, 1,400 people in the classified service that are over 70 years of age. That constitutes the 1.2%, as I understand, that the committee speaks of. In the next period of ten years, between 60 and 70 years, there are, I believe, something over 13,000 people in the employ of the Government. Now, of those people probably less than 50% will die within the next ten years. That bulletin was issued in 1903 and in the first ten years following 1903 it is altogether likely that there will be placed upon the superannuated roll something like 3,000 people. There the percentage of superannuation plainly increases. In the next period of 10 years, between 50 and 60, there are many more thousands of people, and if you take a thousand people at 55 years of age, it is probable that 40% out of every thousand will live to be 75 years of age, and in the period between 50 and 60 years there are something like 30,000 people in the employment of the Government, as I remember from that bulletin. From that it seems to me plain that superannuation will become more and more serious as time passes and until the maximum condition is attained, and I am convinced that it will be much higher than 1.2%. If this percentage has not been increased, as the committee states, since 1903 when the first statistics were available, it seems to me to argue that the civil service law will operate to increase superannuation because if that percentage remains, holds its ground at 1.2% for say 14 years without any additions to it by the effect of a civil service law, it seems to me it must be plain that when that civil service law does begin to have its effect the superannuation must necessarily be increased. I do not see how it can be avoided.

The committee states that "the total loss through old age inefficiency expressed in terms of salary is less than 1% of the salaries paid by the Government." I think instead of saying "less than 1%," to make it sound small, it should have said "nearly 1%," to make it sound big, because if the government is losing 1%, nearly 1% of its salaries, which the committee states is estimated at

\$200,000, that is a sufficient amount of money to be saved by the government, if it can be done, and I believe that under the Keep Commission's plan it can be saved. I believe that that is the intention of the plan and it will so operate.

It should be borne in mind that this report of the Keep Commission's sub-committee is only the report of a sub-committee, that it has not been considered by the committee itself, and from talks that I have had with one or two members of the committee I think that I am safe in saying that it is the consensus of opinion of the Keep Committee that as to the provision for paying 4% compound interest on money held idle in the Treasury, a provision will be made to change that so that the Secretary of the Treasury will be empowered to invest the money at the most advantageous rates for the government and the employees concerned. And it seems to me that that matter is rather one of detail than an objection going to the vital principle of the scheme on which this plan is based. It is a detail that can be worked out. It is mathematical rather than a thing of principle.

Your sub-committee in its report lays special stress on three things: first, on resignation, then on 4% compounded interest, and then on the question of insurance plans, an insurance company. I think the committee has not properly diagnosed the case so far as it is affected by the matter of resignations. The Keep Committee's plan provides that if the person has been 20 years in the service and his accumulations amount to a thousand dollars he may resign and take his money with him and get the benefit of the 4% compound interest. But the gentleman should have mentioned this also I think: that after a man has been in the service 20 years, suppose he were appointed at 20 or 25 years of age, he will be 40 years old, 45 years old; he will be married, he will have children on his hands, he will have given his hostages to fortune, he is not going idly to throw aside a permanent position with sure pay, and for the consideration of a paltry \$1,500 or an annuity of \$270, undertake to live his life over again from that time on and take care of his children, educate them and let them live in peace and comfort as he could if he retained his position under the government.

The committee tell us that the persons who resign are those that entered the service by competition and that they leave because they get better appoinments in service outside of the government, with better salaries. That is the kernel of the whole thing. Those are the people that resign and nobody else. Who wants to resign and live on \$270 a year and take a thousand dollars or fifteen hundred or two thousand dollars, with a chance of investing it in something and making a fortune, with the responsibilities on his hands that would come with his family clinging to his elbows? A man of 40 or 45 years is not going to undertake that. A man who has been that long in the service will not take such a risk. A man who has not been so long in the service and would take the risk would not have the accumulation to rely on. In other words, those who would take the risk have not the money to their credit, they cannot mulct the government to that extent; those who have the accumulation practically in possession, would not do it, would not give up their positions for any such consideration. So that I think the objection to resignation is a very minor one. I think there is practically not any weight in it. I think the operation of the plan, as an encouragement to resignations would be practically nil.

With reference to the compounding of interest at 4% annually, it seems to me that that is not at all a bugbear. Every savings bank in the country pays interest at not less than 3% and compounds it annually. Many of them insist on paying it every three months, and I fancy that three or three and one-half per cent. compounded quarterly is not so much a worse proposition than four per

cent. compounded annually.

If as the committee suggests the government should undertake to vise or supervise or restrict an insurance company or a savings bank in its deposits, it would have to have, as every state has, a department of insurance and banking and things of that kind at an expense,—if not tremendous, at least a considerable. Such a department that would have the power to restrict and advise and control insurance companies or banking companies in the management of these accumulations could equally well advise the Secretary of the Treasury and make it much

cheaper for the government to do in that way, for the clerk, than for the clerk to be thrown upon the mercy of a banking or an insurance company. Of the savings banks, loan and trust companies and private banks, something over 4,000 that report to the Comptroller of the Currency, the average interest paid is about 31/2%; the maximum is $4\frac{1}{2}\%$ and the minimum is 3%; the profits of those institutions amount to over 9% in every case; in one case, the case of private banks, it is 14%. Now, if that money can be made by a bank operating for its own account, and pay the expenses that they are well known to pay, above the interest on deposits, why should that much money be thrown away; that is to say, why should the government clerk be required to pay that extra expense, even if, as the committee suggests, the surplus of net earnings is returned to him? There is the great expense that the government would not be obliged to incur. And I think for those reasons and many others that I might mention if I felt at liberty to take your time, that the government could economically, safely and with more propriety by undertaking the matter of investing the accumulated surplus and turning it to good account save itself all expense, besides making cheaper for the government clerk the expense of his retirement.

Another thing that I feel at liberty to mention with reference to the Keep Commission plan is that the rate of benefit upon retirement is placed at about threequarters of his salary. I do not believe that the government clerk at 70 years of age needs three-quarters of his salary upon retirement unless his salary is very low. A great many of them have salaries high enough to afford to be retired at a much lower rate than threequarters and, for that reason, if the Keep Commission's rate of 4% seems high, I don't know now why it cannot be reduced. But that again is a matter of detail, a matter of mathematics, and I think the objection to the 4% scheme of compound interest does not cut a very heavy figure as an objection to the bill; it is not an objection to its principle or any vital element in it; it is a matter of detail that can be arranged by, you might say, a simple

twist of the wrist.

With reference to insurance companies, if the consensus of feeling or opinion of people who are interested in this matter were taken I think it would be practically unanimous against putting any part of the business in the hands of an insurance company. Insurance brings to the heart of every honest poor man a shudder and I must say with all deference to the chairman of the committee and the members of the committee, that it seems to take somewhat of temerity at this time and date to mention an insurance company in this connection. I do not believe that an insurance company is the proper institution to handle the affairs of the government clerk. piles of concrete and steel that we see towering in the air look fine and strong enough but the trouble with them is that their bases are not broad enough. The government clerk wants something a little more stable than that. He needs it. He wants his affairs in the hands of an institution that has foundations as broad and as strong as those of the national capitol at Washington. He does not want his earnings to be the prey of men who get salaries of \$85,000 a year. There is no officer under the government who gets a salary approaching that. No man can earn that much money by handling money for other people. The fact that salaries of that kind are paid shows that there is an unnecessary expense laid upon the man who takes the policy, and that expense should not be forced upon the government clerk.

The committee says that the insurance company should be allowed in addition to this business for the government to carry on a regular business. Carrying on a regular business is known by everybody to be a very expensive matter and there is no way of reducing the expense. You may cut it off in one direction but it will come back at you in another direction. The insurance people are well known to be masters in the matter of handling statistics. They can pull the wool over the eyes of the best of us. I do not believe that any of us are experts in statistics as insurance people are. We cannot control them; we cannot say what they should do.

I believe for those reasons and other reasons that are suggested by the points that I have mentioned that the

Keep Commission's plan is the plan upon which this matter of retirement for government clerks should proceed, and I think that the committee, as I said before, underrates the importance of superannuation when it says that it is not a sufficient matter to induce the government to incur any great expense. I agree with the committee in that, that the government should not be induced to incur any great expense. It should be done in such a way, as this Keep Commission plan, without any serious or material alteration can be made to do, so as to provide for the whole thing at the expense of the clerk and without the expense to the government. I consider that the fifty or sixty millions, that the committe is willing to agree to, a mere bagatelle because legislation on this subject would be not for us today or tomorrow but for the days that come after tomorrow, and in that time fifty or sixty million dollars, spread over fifty or sixty years would seem to be a mere drop in the bucket.

Mr. A. P. Davis:

I much appreciate the privilege of appearing before you on this subject. I am not a member of the government clerks' Retirement Association. I was designated as chairman on the committee on personnel, a sub-committee of the Keep Committee, and by instructions of that committee this sub-committee considered this question and drew the bill. My effort has been, and I think that of my associates on the committee, to view this question from the standpoint of the government and public service. However, the objections to this plan as proposed,—first, the premium upon resignations is to a certain extent forceable, unquestionably. It cannot be called, however, a premium in any true sense of the word because it is simply proposed to hand back the man's own money to him with a reasonable rate of interest. And right there is where we split in our opinions, as to what is a reasonable rate of interest. So that that can be regarded as practically the only difference between the opinions of this committee and the opinions of the committee that drew this bill, and to that I will address my reply.

The claim is made that 4% is an unreasonable rate of interest because the government can borrow at 2%. I

would like to see any evidence that the government can borrow at 134%, as stated by the committee. Government bonds float at par, at somewhere about 2%, that is very true, but those government bonds carry very valuable privileges in addition to the interest that is paid. They carry the privilege of taking out their full face in national bank currency. In other words, the government hands back the money which the man has invested in the bond, pays him interest on the bond, and he can loan that money, under certain restrictions, in the capacity of a banking corporation. These bonds were until recently the only security the government would accept for government deposits in banks, which is essentially the same thing as issuing currency because it is the money handed back. Then with the half per cent tax that there is on the bank currency deducted from the interest we have. say 11/2% interest, which is a pure gratuity, because the money is handed back and used in banking.

I want to call your attention to the fact that the government never has borrowed money, without the national banking privilege attaching to the bonds, for less than 6%, if my memory of history is correct. I want to call your attention furthermore to the fact that the government holds over thirty-four millions of dollars of trust funds for the Indians, on \$32,300,000 of which it pays 5% interest, and on the balance of \$1,950,000, only about one-fifteenth of the whole, it pays 4%. In view of the fact that in the judgment of Congress this is a fair rate of interest, it seems to me the committee is justified in taking the lower of those rates of interest as a fair rate of interest, and I have yet to see any evidence that it is not a fair rate.

But we may as well brush that aside, because it is entirely feasible to relegate this whole question to the arbitrament of Congress. We can give the Secretary of the Treasury the authority to invest this money under certain congressional restrictions and let it earn what it will and let that money go to the clerks. Then if it is more than 4%, that belongs to them, and if it is less than 4% the government loses nothing. That is at least a way by which we can brush that difference aside.

The question is asked in the report of the sub-committee, why is not the average salary taken instead of the salary of the last ten years? That is a question that they consider minor, and so do I, but it deserves an answer: the same reason why we should consider salary at all. Why isn't one man entitled to just as much annuity as another? Considering salary at all is simply a recognition of the fact that men have different standards of living. Now a man's standard of living is determined by the last ten years previous to the time you are considering and not by his boyhood; his standard of living is determined by the last ten years more nearly than it would be by the entire term of his service. And the question is further asked, why is not that taken into consideration in the other case where the deduction is made all the way along? Simply because it is impossible to tell what the last ten years of his salary is going to be. You have got to make that deduction on the basis of something that we know, which is the current salary, and on that basis the deduction is to be made. However, that is a minor point and I have no idea that anyone would seriously object to making that much of a change.

As Mr. Neagle has explained, this is simply a report of the sub-committee and I have to say for the sub-committee which passed a resolution requesting me to come here, that this investment plan is entirely agreeable to that sub-committee; they differ with the committee of this League in the importance it attaches to the premium upon resignations but does not regard that as a very essential point. However, still believing that they are right on that point, I thank you very much for the privilege of addressing you.

Mr. R. H. Dana:

As to the accusation that the statistics in our reports are not reliable, if the criticism were more definite, it would be easier to make a more specific reply. The data on which this year's report was based, were all given in the report of 1906. This latter report has passed under the eye of every newspaper in the country and every member of the Cabinet, and was carefully scrutinized by the Sub-Committee on Personnel of the Keep

Committee. Copies were also given to the officers of the Retirement Association, and no one has yet pointed out a single error. Foot notes referred to the sources of information for each statement.

As to the number of persons in the service over 70 years of age, there are five official reports as to the number of such persons in the service in Washington, made in 1893, 1900, 1902, 1904 and 1906, and one official re-

port as to the age in the service at large.

As to the relative efficiency of those over 70 years of age, and the loss expressed in terms of salary, that is based, for the departments in Washington, on a report made by the departments themselves, through the Civil Service Commission to the President, and is printed in the last report of that commission. For the service outside of Washington, we made a simple calculation based on the assumption that persons of the same age in that service have the same relative efficiency as the same aged persons in the service in Washington.

As to the assertion that the percentage of persons over 70 years of age must rapidly increase, because the average age of persons in the service in Washington is about 40 years, and that so many persons 40 years of age will arrive at 70; we can say that the percentage has not been growing in the last thirteen years. It is true that a great many people 40 years of age will arrive at 70 years, but they will not all remain in the service. Some will be incapable of doing any work whatever from physical or mental infirmity; others will have saved money and retired; still others will leave because supported by their children.

In the civil service of the Commonwealth of Massachusetts, there has been perhaps the most permanent service for the last sixty years to be found anywhere in the United States. The same party with no decided change of faction was continuously in control from 1860 until after 1885, when the employees were protected by the new service law and rules then put in operation. As a matter of fact, there have been no clean sweeps nor any undue number of removals, and yet in that service we have not one single case of a person over 70 years of

age, though almost all of those who were in it in 1860,

and who are alive, would now be over 70.

Another significant fact is that, in the service outside of Washington, where 34 of the employees enter through competitive examinations, we find only 8/10 of 1% are over 70 years of age. while in Washington, where less than one half enter through competition, we find 2%, or more than twice as many in proportion, have reached that age. That is, where we have the most competitive appointees, we have the least superannuation.

It has also been suggested that it is not fair to say that the government borrows at less than 2%, because the government can do so only on account of the national bank circulation law. It is undoubtedly true that that law has much to do with the low rate of interest at which the government can borrow; but this national bank circulation law is an existing fact which will continue to exist; the government taxes the banks at the rate it thinks it fair and just, and it is a condition which affects the rates of interest just as any other permanent cause of demand and supply will do.

In general, we have come into this matter with no prejudice; we have approved many parts of the Keep Sub-Committee's report. We appreciate the advantage to the government of getting rid of its old employees with-

out exposing some of them to abject poverty.

As to the suggestion that the United States Treasury Department would invest the funds in state, municipal, railroad and other bonds, and use the proceeds only instead of paying an arbitrary rate of 4%, that to be sure would save the loss to the tax payer; but, on the other hand, it would be introducing what might become a very dangerous element. Investing hundreds of millions of dollars might lead to the formation of syndicates seeking to control some subordinates in the Treasury Department upon whom the United States Treasurer would rely, and at best there would always be suspicion of such conduct, and where there was not actual fraud, there might be favoritism and the suspicion of that. The suspicion of favoritism and bribery would greatly injure the influence of the United States Treasury Department.

That Department now, perhaps on account of its very freedom from engaging in the investment business, is

fully trusted by the public.

There are still other points that were brought up against our report, but I think the report itself answers the objections, and I believe the criticisms have come from not having thoroughly digested the report. For example, we had no proposition that a specially organized insurance company should undertake other insurance business. It must also be remembered that general insurance companies, if they are to go into the business, will have to deposit with the United States Treasury sufficient securities to guarantee the payment of the annuities. On the whole, the more the subject is considered, the more I believe the conclusion will be that our recommendation of deferred annuities in general or special companies will be the best solution of the problem.

Mr. Deming:

Of course if all the things called details are removed from the report of the Sub-committee on Personnel, I mean all the things that have here been called details, and which the sub-committee now proposes to eliminate, it might be well for us to see what is left of their report. Now, this is what is left: that the employees of the government should at their own expense, under government supervision, provide for their old age. That is all that there is left of the report. Whether the government should undertake such a task and if so what the government's supervision should be there is not time here nor is there opportunity to discuss. But I should like to take the opportunity of saying, while the chairman of the Civil Service Retirement Association and the chairman of the Sub-committee on Personnel are present, that the minute you introduce the principle that the government shall invest and pay only what it earns, you have got to get rid of the notion of any 11/2% of any annual salary becoming bye and bye the annuity. You have a mathematical conundrum when you say that A. B., a clerk 25 years of age, if he remains in the service until he is 70, shall lend the government out of his present salary such a sum as at any interest whatever, big or

little or none at all, which is earned by it, will produce in 45 years 1½% of his present salary. That is very much like describing a ship and saying "Now tell me the captain's name." If you wish to adopt the principle and enforce it that the employees out of their annual or monthly salary shall make forced loans to the government which the government shall be allowed to invest in certain classes of security, which investment shall be returned to the clerk at retiring age, why, that is a very short law; all that you have to do will be to say how much the clerk shall be compelled to lend and the result is in the hands of the United States government and of the future. The clerk will not know what his annuity will be, but you will have protected the tax-payer and involved the government in the savings bank and insurance business.

Report of the Committee on the Civil Service in Dependencies.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

Your Committee on Civil Service in the Dependencies begs leave to report that:

A civil service law was passed by the Porto Rican legislature and duly approved by the Governor on March 14th, 1907. The law, a copy of which is attached to this report, becomes effective on January first next.

In most respects the act is satisfactory, being designed to establish the merit system in the island. There was one clause, however, providing that the appointment and removal of the registrars of property and members of the insular police force and teachers shall continue to be governed by the special laws in force concerning them. Your committee was somewhat exercised as to the true meaning and import of this and has accordingly sought to ascertain the facts of the case with the following result:

The provision in the Porto Rican civil service law with regard to the police force and teachers is as follows:

"The classified service shall comprise all positions not included in the unclassified service, provided, however, that the appointment and removal of the registrars of property, of members of the insular police force, and of teachers in the public schools, shall continue to be governed by the special laws in force concerning them, and provided that the teachers in the public schools shall be considered as members of the classified civil service for the purposes of promotions within the department of education."

This provision was inserted we are advised because

both the police force and the teachers are at the present time under a civil service system of their own.

The police are selected after examination by a non-political board of three men, appointed by the Governor. Politics are not considered we are told and during the the three years of Governor Winthrop's administration this method of selecting the police worked very satisfactorily, because of the Governor's personal interest in the maintenance of the merit system in all possible branches of the service. Promotions to the position of corporal are made after examination, and above this grade without examination, the Governor making all appointments above the rank of sergeant.

With regard to the appointment of teachers the law provides:

"Teachers of English shall be graduates of a first-class high school, normal school, college or university, or teacher of extended experience holding a high-grade certificate from some State of the United States, or they shall pass an examination in the English language, including writing, spelling, reading, grammar, arithmetic, geography, history of the United States, physiology and methods of teaching."

Under this law all applications received are systematically investigated as a preliminary to a careful and discriminate selection.

With regard to teachers speaking other than English, licenses are issued originally upon the results of examinations held by the department of education of Porto Rico. Upon presentation of diplomas, graduates of the normal school of Porto Rico, both in the elementary course of two years and the full course of four years, are entitled when they have the age required by law, to receive licenses as graded teachers. If too young to be granted this grade, they receive rural licenses, or licenses to teach in the elementary rural schools.

In the case of Porto Rican graduates of normal schools in the United States, the department has author-

ity to issue a rural but not a graded license. One year's experience in the schools of Porto Rico is required before a graded license can be issued.

The selections of both the police and the school teachers proved satisfactory under Governor Winthrop. This being the case, it was deemed inadvisable by the legislature to change the existing law, especially as we are advised that any such attempt might have jeopardized the passage of the law itself.

The present Governor of the island has appointed the three members of the civil service board as required by the provisions of the new law. The chairman is Mr. Harry C. Coles, at the present time connected with the United States Civil Service Commission. The other members are Don Lugo Viña, formerly attached to the Medical Department of the United States Army in Porto Rico, and Mr. Rafael Palacios Rodriguez, who served as Municipal Judge and Acting District Attorney with great satisfaction during Governor Winthrop's term of office as Governor.

Your Committee believe that the law on the whole is a very good one, although the provision exempting the police might from some aspects of the question and under some circumstances call for criticism, because after all the existing method is nothing more than a selection after an examination by a non-political board of police commissioners who also control the administration of the police department. It is not in accordance with sound theory and practice that the examining board and the appointing power should be one and the same, especially where there is no rule for competition. There is no doubt that there is a strong feeling, however, that the Governor should not surrender the power to recruit the police force from adherents to the United States in the island. Moreover, the present arrangement has worked well under Governor Winthrop, and we have no reason to anticipate any other result under the present administration.

The registrars of property who are exempt from the provisions of the rule are, we are informed, quite unim-

portant, receiving small salaries.

Your Committee reports these facts to the Council with the feeling that they constitute a gratifying development in the right direction, and while there are some provisions which might, with advantage, be changed, the Act of March 14th, 1907, represents a very decided advance and on the whole an encouraging outcome of the years of effort made to secure a law on the subject in Porto Rico.

Respectfully submitted,

HENRY W. HARDON, CHARLES RICHARDSON, ANSLEY WILCOX, R. FRANCIS WOOD.

Mr. Clinton R. Woodruff, Chairman of the Committee on Dependencies, presented a minority report concurring in the majority report, with the exception that the sentence "Moreover the present arrangement has worked well under Governor Winthrop and we have no reason to anticipate any other result under the present administration" should be changed to read: "Moreover the present arrangement has worked well under Governor Winthrop and we have no reason to anticipate any other result under the present Governor, and for that matter so long as Theodore Roosevelt continues as President of the United States with the power of appointing the Governor of Porto Rico."

Address of Welcome.

BY HON. J. N. ADAM, MAYOR OF BUFFALO.

As Mayor I frequently enjoy the privilege and the pleasure of extending civil courtesies to associations meeting here in convention to discuss and further their own particular interests,—we are always glad to have them here,—but coming as you do in the furtherance of our interests, it affords me very special pleasure to welcome you. In this instance Buffalo is thrice honored. We always try to welcome the distinguished Chief Executive of our state whose course enables every citizen to follow loyally where he leads; we are also glad to greet the eminent men of the country who, with the Governor, are in attendance at this gathering, and we are happy to extend the hospitality of Buffalo to the League as a force working for justice, efficiency and right in the public service throughout the nation.

I was reading last night an address which Rudyard Kipling made a few days ago in Toronto. He spoke of a man who had stepped aside from the sheep tracks of little politicians and who in his declining years had put aside ease and comfort that he might lead the younger generation to follow a new path, and he spoke further of other men who for objects in which they had no specific interest except the honor and integrity of their city, their state or their country were willing to endure hardship and misunderstanding. When I read it I could not help think of George William Curtis and the members of the Civil Service Reform League.

In spite of many adverse circumstances the grand work of the League has gone steadily on. It was a fight against corrupt practices, against wickedness in high places, against an entrenched army of spoilers, but it has been won, and if there are still hovering on the outposts little bands of marauders, these, too, will finally be sub-

dued. To this conference of generals the rank and file look for guidance and inspiration. In Buffalo we have a coterie of ardent, buoyant and persistent men, working with a quiet determination to uphold the standard of civil service. Some of them will have a word to say of their progress to date and of the further progress they hope to make. I am pleased also to speak in high terms of our civil service commission. They are men who know and do their work and do it well. If they did it ill we would probably hear more about it. It is a great relief to the mayor and it is a comfort to him to know that its services are rendered without grudging. Gentlemen, we are proud of our city and proud of our guests. It is a pride signifying our deepest pleasure over your presence, and in the name of the City of Buffalo I bid you a sincere and hearty welcome.

Address.

BY HON. CHARLES J. BONAPARTE.

A number of years ago I attended a small political meeting in the vicinity of my residence. It was just before an election, and an old gentleman who was a candidate for a local office produced a formidable role of manuscript and informed those present that inasmuch as he had spoken—as he said, ex tem-pore—at a great many meetings during that campaign, he had reduced his remarks to writing on that occasion so that his friends and neighbors might see what he could do when he laid himself out to do it. He proceeded to read a very long and very flowery speech and his friends and neighbors having heard what he could do when he set himself out to do it decided that he should remain in private life. shall follow his example this evening, partly because there is no danger under existing circumstances of the same consequences ensuing, and partly because it will show you not perhaps how ill I can do under the like circumstances as those which attended his effort, but because it will at least insure my not detaining you too long from hearing what better deserves your attention.

At old-time temperance meetings converted drunkards and even reformed rumsellers were sometimes encouraged to tell of their instructive, if not edifying, experiences while yet they trod the path of iniquity. I suppose it is on somewhat the same principle, although perhaps for different reasons, that a civil service reformer who has so far "backslid" as to get and hold successively two very important federal offices has been requested to address you this evening. However I may have attained this unmerited honor I thank those who were so ill-advised as to confer it upon me, and I wish it were in my power to repay them and you by saying something about civil service reform which might be worthy the

hearing and which you had not heard before. In default of anything to say with these two characteristics, I propose to tell you something neither especially novel nor especially amusing, but which I find interesting and I

think important.

By way of introduction, I wish to suggest a method of adding to your number. I must own there are impediments to its application on a large scale, but it is very effective when it can be applied. If you find any one who agrees with you in thinking that the decalogue and the golden rule have something to do with politics and with public business, but who differs from you in doubting that through the merit system and not otherwise can they be assured of practical recognition in these fields of human thought and action, just get this skeptic made a Cabinet officer; if that experience does not remove his doubts these doubts can hardly be sincere. The remedy will be peculiarly efficacious if he can be put for a time at the head of a department where offices are filled without regard to politics, and be transferred to the like post in another where this is no longer true. When for seventeen months one has seen captains and admirals promoted or chosen for command without thought as to whether they are republicans or democrats or neither, as to whether their selection might or might not help things in this or that state or meet the views of this or that prominent political leader; and when he is afterwards brought into personal contact with all the complex problems which must be solved in the choice of United States marshals and attorneys, he can hardly fail to sigh for such a condition of public opinion as will make considerations of politics as irrelevant to the employment of one class of public servants as these now are to that of the other.

For I ask you to note that I look for permanent improvement in these matters to an aroused and enlightened public opinion; not, primarily, to better laws nor even to better officers. The favorite substitute for charity with respect to such sins is the necessity for confirmation by the Senate; but this necessity exists in the choices of military and naval officers no less than in the

choice of civil officers. The real difference is that public opinion, the opinion of you and me and everybody, has come to look upon soldiers and sailors as the servants of the whole people, and will not "stand for" their selection or advancement for reasons approved by the half or less than the half of the people. When you and I and everybody take the same view of officers who serve process, arrest or prosecute criminals or conduct lawsuits for the state or nation, then these officers also will be chosen on like principles and receive the like treatment. We can note a transition stage in the development of this view of public service in the case of our judges, whether state or federal. Public opinion tends steadily to demand more and more imperatively that party affiliations and political views shall have less and less weight in their choice; this tendency is the more marked in the more enlightened communities, but to some extent it is shown everywhere. Nowhere, however, have we come to treat such considerations as altogether irrelevant; and it must be owned that so long as political issues are so often joined, as they are with us, on questions of constitutional interpretation, and so long as our laws are so generally enforced through our courts, and not, as in most European countries, in general, though the action of administrative officers, it will be difficult to completely disregard the political opinions of one suggested for a judgeship.

It is for you, gentlemen of the League, it is your business to awaken and guide a healthy public opinion as to these matters, matters of vital moment to the general welfare. You must teach the American people to want an executive public service, federal, state and municipal, chosen for fitness only and devoted only to its proper public work. When you have fulfilled this duty, when the American people has been taught to want such a service, to want it in earnest and to be willing to put up with none other, then the American people will have such a service; for, in our country, the people always gets, sooner or later and rather sooner than later, what it really wants. But the American people, although an intelligent, is not a very studious or docile pupil; it has

many distractions in its enormous private interests, gladly takes a recess from public affairs, studies its lessons in self-government somewhat by fits and starts and is rather prone to forget them. So you will not soon lose your job. It may outlast my day and yours and be handed on, unfinished, to some not yet here to take it up. But, if we persevere, the end is certain and it will repay our work and our waiting. That end is to make our public service worthy of the nation's greatness, by making the nation worthy of the best and purest public service the world has known.

Address.

BY HON. CHARLES E. HUGHES.

It is a special pleasure to come to Buffalo on the errand which has brought me here at this time. It is necessary to correct the remark of the Chairman that I have come at sacrifice of official duty, for it happens that I am here in connection with a very important duty and one which it is a very agreeable thing to perform. It has long been my desire to visit the state institutions, to be able to carry about with me a mental picture of their physical condition and to form amid the din of rival exhortations at Albany a fair judgment as to their necessities. I was very glad to be able to come to the western part of the state at a time when I could attend this meeting and in this way testify to my appreciation of the great importance of the subject which is here under discussion and of the long-continued and unselfish efforts of those who have promoted interest in it and through whose endeavors the civil service of the country to so large an extent has been put upon a rational basis. It is not my purpose to address you in any formal manner. Being here on a tour of inspection and having had the advantage to-day of visiting several institutions under the care of the state and noting with the greatest satisfaction the admirable work that is being conducted and the vast extent of that work, I think it is eminently proper that the day should be closed with some remarks on civil service reform.

Now, it is said that we are a government of laws and not of men, and most important is it that we should never lose sight of that fact. The government depends upon principle, upon the will of the people as expressed in the fundamental law and in legislation enacted according to popular desire, and does not depend upon the wish or caprice of individuals. But in another and equally im-

portant sense we have a government of men and we will have no government better than the men who administer it.

It is my good fortune to go from one part of the state to another as opportunity offers; to pass from a community which is centered in some particular interest around which revolves the public spirit and activity of that community to another community equally interested in another subject, and thus to get a conspectus of the great Empire State. I come from that view not disheartened but encouraged. I come with no feeling that there is a lack of interest on the part of our citizenship in public needs. I come with renewed courage because on every hand I see desire to promote the public welfare, desire to take honorable part in public service. No one can know what the State of New York is who does not visit the different communities and have a chance to become intimately acquainted with the people of the State of New York who are bearing in a very true sense the burdens of the State of New York. And, therefore, I have not altogether an optimistic feeling, for I am fully aware of what is to be accomplished and what as yet has been left undone; but there is every ground for encouragement and belief that each generation will see improvement and the attainment of a higher level.

We notice that fundamentally we need two things; first, the untrammeled expression of the people in the choice of their officers who administer and in the choice of their legislators who make their laws. We want no limit placed upon legitimate political activity. There is a vast amount of earnest political endeavor, of honest effort to achieve what is right in the world of politics. We want more and not less of it. But we want no perversion of our party or political machinery so as to set up obstacles in the way of that freedom of choice by which the people can get the men they want and the laws they want. And then the second thing is efficiency,—the highest degree of efficiency in the management of the business of the state. If you have those two things,—untrammeled expression of the popular will, through necessary organization and political machinery, of course, but

created and active for the purpose of expressing and not preventing the expression of the popular will, and, on the other hand, efficiency according to approved standards, recognized in the world of business, in the management of public concerns,—then you have true democratic government.

Now, the object of civil service reform is not to provide theorists with a pet idea and an opportunity to maintain a propaganda of interest to a limited few. object of the movement with which we are connected tonight in this public meeting is not to hamper or interfere with any legitimate political work. The object is not to protect a class of people who happen to be engaged in the state service and to give them privileges and immunities apart from what may be considered fair and necessary in order to promote the public welfare. The object is only one, and that is to have the business of the state conducted as well as it can be conducted. And so when any proposal is made in connection with this matter we ask not how does this square with what Mr. A. has said, or how does this comport with the theory advanced by Mr. B.; we ask not what effect it will have upon the fortune of this party in or out of power; we ask and should ask but one question:—What will be the effect of this in giving us better administration of government?

Now in the administration of government we want at least three things:—We want capacity, we must have disinterestedness and we must have accountability. How are we to get men of capacity? I doubt not that many an honest man, single-minded, taking an important position, with the burden—for it is a burden—of making appointments to subordinate offices, has often felt that he was restricted in doing what he desires to do and in giving the administration he wants to give because of the civil service law, and probably the intensity of his emotion will be in inverse ratio to the length of his experience in office. Here and there a man may feel that he knows just the man for a particular job. He wants him; he can't get him; he feels limited and restricted; he thinks the people will be the sufferers. But if the government is not

to be administered as a matter of individual caprice or according to the dictates of a particular officer's judgment, it must be administered in accordance with principles as embodied in a system which in the long run, and covering the multitude of cases which must be covered, gives us men of capacity. And no one has long, I believe, been honestly under the burden of office without being grateful that some means has been afforded of testing capacity and of relieving the appointing power from the onslaughts of those who desire the appointment of de-

pendents or favorites.

Despite the fact that I had something to do, in a very humble way, with civil service reform work and thought my position was entirely clear, I was surprised after taking office to find that there were men who thought they deserved appointments at once because they had known me when I was a baby or because they were intimate with those who were friendly, or because at one time or another chance had given the opportunity for a most agreeable acquaintance. While, of course, in my position I have very little to do with appointments in the classified list. I did have this much to do with them—to announce that I would not recommend to any one whom I appointed as the head of a department the appointment of any subordinate to office but would hold the head of the department accountable for his discharge of his duty. The pressure of improper influence, the pressure upon a man's sense of good fellowship, the efforts to come close to a man on the side of ordinary human generosity, to appeal to him in the name, the sacred name of friendship, —these efforts are so various and multitudinous that we have long ago concluded,—and it needs no debate,—that we must have the determination of capacity in appointment to subordinate positions by some other method than the unrestrained will of the appointing officer.

Now, we have got it embodied in the Constitution of the state, we have it written by the people of the state, that appointments in the various civil divisions of the state shall be according to merit and fitness,—so far as practicable to be determined by examinations and those examinations, so far as practicable to be competitive. And

there is no clause in the Constitution since those great clauses embodying our fundamental rights were written which is of greater importance to the maintenance of high standards of administration than that clause, the full scope and meaning of which have not yet been fully determined by the courts but are destined to be in time. And so to-night it gives me particular pleasure to say that from the viewpoint of office we have nothing more important in relation to the administration of government than a system—the best that has yet been devised—of securing men of the needed capacity by competitive examinations wherever such examinations are practicable. I believe in that, I thoroughly endorse it, and I hope to see it extended throughout the states of the Union.

I have said that we have a great many who are eager to give their service to the public. That is true, and we can sift out of that large class the men who are worthy of that service only by a competitive test. Now, I do not attach undue importance to examination papers. once was a teacher and I know well enough the qualifications which do not appear in answer to questions; but as compared with the system of making public office a partisan encampment by which the people at large can be charged by reserve forces in time of emergency, or the system by which those holding important office are distracted and worn down by the importunities of friends and of those who believe themselves to hold them under some obligation, the system of competitive examination is so far in advance that there is no debate among reasonable men upon the question.

The activities of the state are constantly extending. The number of those who must be drafted into the service of the state is continually increasing. We may talk of our schemes of legislation for this or that supposed improvement in the law. One of the first things we need is to show the adequacy of our existing institutions, and the full scope and effect of our existing laws by having men administer them as they would administer a sacred trust in private life. We want in office, therefore, men who are not simply just over the line of availability, but the best men that can be obtained; sorted out by the best

means; held to the highest standards of efficiency; made to feel that it is the highest honor to serve the state; that it is just as sacredly a place of honorable obligation as to go to the front in defense of the country in time of war. Indeed, there may be a severer test of character in the room where, unobserved, a paid official of the government performs the work for which he gets his stipend, than in the rush, hurrah and enthusiasm of the charge upon the fields of battle.

I have said that we must not only have capacity and disinterestedness but we must have accountability. Therefore, from such observation as I have been able to make, I have very little confidence in schemes which tend to restrict the responsibility of the officer who holds the I would have him power of appointment or removal. be compelled, wherever it is practicable, to choose disinterested men from those who according to the best tests have shown their capacity for the place. I would have those men held to disinterested service and inspired by the fidelity of their chief, and I would have that chief in a position to call every one to account and himself accountable for the efficiency of his department. I thank you.

Restriction of Political Activity of Officeholders.

BY HON. WILLIAM DUDLEY FOULKE.

On July 14, 1886, President Cleveland issued certain instructions cautioning officeholders against "offending, by display of obtrusive partisanship, their neighbors who

have relations with them as public officials."

He adds, "The influence of federal officeholders should not be felt in the manipulation of political primary meetings and nominating conventions. The use by these officials of their positions to compass their selection as delegates to political conventions is indecent and unfair; and proper regard for their proprieties and requirements of official place will also prevent their assuming the active conduct of political campaigns." * *

When that order was promulgated there was a loud protest against it as interfering with the political freedom of officeholders and employees. We were reminded of our sacred duties as citizens of this great republic and the question was indignantly asked, "By what right can a President prevent an American citizen performing in

his own way his highest political duties?"

The protest was a rather natural expression of American sympathy with freedom. I remember sharing in that feeling. It seemed to me that a man ought to do what he thought right as a citizen whether he was employed by the government or not, and that except in the performance of his official functions, he had a right to be just as offensive to the partisans upon the other sides as he considered the necessities of the case required. I was once offensive myself in the exposure of certain frauds and outrages in the treatment of the insane in my own state and it seemed to me that any good citizen had a right to be equally so if he believed that his duty required it. Therefore, although I was a pretty good civil service reformer on other points, I scouted the idea of

"offensive partisanship" as laid down in the order of Mr. Cleveland.

Moreover there was a good deal of shuffling in the enforcement of the order. I remember an instance where the partisanship of a republican prosecuting attorney was considered very offensive and the delinquent was summarily dismissed, while the partisanship of a democratic prosecuting attorney, evinced by words and acts quite like those of his republican prototype, contained no element of offense at all. It has nearly always happened that the men dismissed for this sort of "offensiveness"

have belonged the party that was not in power.

Indeed, I think today that the first reason given by President Cleveland for this order, that of "offending by the display of obtrusive partisanship," is not a very cogent reason. The American people can stand a good deal of this kind of offense and survive it. Of course, a public employee ought to treat with courtesy and impartiality those who deal with him in an official capacity, but when once his public duties have been properly discharged, his "offensiveness" in denouncing the iniquities of the other side is one which we can well afford to tolerate.

But another reason given by Mr. Cleveland is more vital, and upon that ground I have been thoroughly converted. He says, "They have no right as officeholders to dictate the political action of their party associates, or to throttle freedom of action within party lines by methods and practices which pervert every useful and justifiable purpose of party organization." He might have gone further and denied their right to influence elections, as well as party action, for this is an influence which may be quite as injurious as that exercised within their own party.

The question, even in Mr. Cleveland's time, was not a new one, It arose as early as the days of President Jefferson and the vital ground was strongly stated by Albert Gallatin, his Secretary of the Treasury, who in a circular to revenue collectors, said it was the opinion of the President that "the exercise of official influence to restrain or control the freedom of suffrage of citizens or

subordinate officials was practically destructive of the fundamental principles of a republican constitution." And again Jefferson himself in a letter to Thos. McKean, Feb. 2, 1801, said, "Interferences with elections, whether of the state or general government, by officers of the latter should be deemed cause of removal, because the constitutional remedy by the elective principle becomes nothing if it may be smothered by the enormous patronage of the general government."

Before President Cleveland's time there had been other executive expressions upon the subject. On June 22, 1877, President Hayes had declared, "No officer should be required or permitted to take part in the management of political organizations, caucuses, conventions,

or election campaigns.'

The civil service law was passed during the administration of President Arthur, also before Mr. Cleveland's time. That law does not prohibit the general political activity of officeholders beyond declaring that no person in the public service has the right to use his official authority or influence to coerce another. It confines itself in its penal provisions to the one question of political contributions. This was one phase of political interference peculiarly objectionable at that time, when large sums were levied by congressional and other political committees upon the men who held places. The evil was a serious one; it diverted to party purposes a portion of the salary of those who had been appointed to serve, not the party, but the whole people; and it levied a species of blackmail upon every placeholder.

The civil service law, therefore, prohibited federal officers or employees from requesting or making political contributions to one another, and prohibited all soliciting in a federal building. It was a good law as far as it went, but it did not go far enough even in regard to contributions. No public officer may ask another, but some one else may do it and the effect may be quite the same. I know a case in point. When I was a civil service commissioner, the Honorable Matthew Stanley Quay, one of the Senators from the state of Pennsylvania, sent out to hundreds of federal officeholders within that commons

wealth letters asking for political contributions. was a clear violation of the law. The letters were brought to the attention of the President. He directed that Mr. Quay should be required instantly to recall the solicitations. Mr. Quay stated that he did not know that he had been guilty of any offense against the federal statutes and when his attention was called to the matter, he revoked the letters at once in a published statement. Then he was called away. In the meantime the secretary of the committee, of which Mr. Quay was the chairman, issued a new series of letters on his own account. The letter heads contained the caption, "Republican State Committee, Chairman, Matthew Stanley Quay," but each letter was signed by the secretary, one Mr. Andrews, and they were scattered broadcast among the federal officeholders and employees. One of them came to my notice and I communicated its contents to the President, and he sent me at once to Pennsylvania to confer with Mr. Quay and to demand of him that these second series of letters should also be instantly revoked. I well remember the interview. The Senator was provoked beyond expression. He said, "I would do more for the President than for any living man. I wrote the first letter without the slightest idea that I was violating the law and when he told me to take it back I did so. Then I went away to settle the coal strike and I knew nothing about the letter sent in my absence by Mr. Andrews. I am not responsible for that letter and I won't take it back. I have made a fool of myself once and I won't do it again. Tell the President he may go ahead and have me indicted. I cannot help it, but," he added confidentially, "I hope he won't do it before the election." I laid the case before the attorney general, but nothing came of it. The first letter had been condoned by Quay's immediate revocation of it and as to the second letter, there was no proof, and indeed I did not believe myself that Quay knew anything about it. and thus it was that nothing could be done.

Now the remedy is in a new law, prohibiting not only solicitations of officeholders by officeholders, but of officeholders by all persons whomsoever. This has been repeatedly recommended by the Civil Service Commission.

Let it be a penal offense for anyone to ask a political contribution of any officeholder or employee; let it be a penal offense for any officeholder or employee to ask a political contribution from any one else. When these two prohibitions are incorporated into the law, the remedy will be effectual.

It has been suggested that no employee should even be allowed to contribute. Perhaps even that does not go too far, though public opinion is hardly ripe for it yet.

So much for the law against political contributions. That was part of the evil, but it was not the only part. The obligation to work for the party, to attend the primaries, to set up the pins, and to do in general the work, often disreputable, of "the organization" was considered to be one of the duties of the place. Public office laid the incumbent under contribution, not only for party assessments, but also for party services, and thus position was prostituted to party exigencies. This evil in one form or another lay at the basis on the whole spoils system. Under that system, to get and to keep office was the bribe for political activity. The competitive system was established in order that this bribe, at least for the purpose of getting the place might be eliminated. But it is equally important that political activity for the purpose of keeping a place should also be eliminated, but it is very difficult to do this so long as political activity in the man who holds the place is allowed at all. If that activity is allowed, it is pretty sure to be exercised for the purpose of keeping office, and if exercised by hundreds of thousands of officeholders for this purpose, it may give a power to perpetuate an existing administration, which is quite illegitimate and may be wholly unpatriotic. It may be said that patronage defeats its own end, that the appointing power will have on its hands for each selection made a dozen disappointed office-seekers and one ingrate. I think that is often true, but whether the power of appointment really acts in favor of the patron or the other way, it is, in either case, illegitimate power and should not be exercised at all any more than other forms of bribery. For if the mere power of appointment lead to abuses, the political activity of the appointee continues the same

abuses and there is no way to stop them except to say that he shall not take part in political work at all.

Take the case of a soldier in the regular army. too has his political opinions, but if you should allow our soldiers to take part in organizing political conventions and in manipulating elections, there would soon be reason to fear that conventions would be coerced and that elections would no longer be free. The freedom of the soldier must be constrained on behalf of the greater freedom of the public and he must not be allowed to take an active part in elections, which he might easily control by military force, lest the freedom of these elections should become subservient to military control. So it is, only in less degree, with the civil service; the man who holds office ought not to take an active or prominent part in caucuses or elections lest in this way official influence should control the thing which ought to be beyond the control of all influence of every kind, the suffrage of the American people. His own liberty must be restricted in order that the greater liberty of the mass of our citizens may be preserved unimpaired.

The grounds upon which partisan activity of an officeholder is objectionable are twofold. If he opposes the party in power, criticises the administration under which he serves and attacks his own official superiors, the executive head of the civil service, the President, or the head of his own department, his act is essentially insubordinate. The great work of a department cannot get on harmoniously in this manner. There was an illustration of this in the Hannah Taylor case. Hannah Taylor was employed in the War Department, the insular bureau of which had charge of Philippine affairs, and she bitterly attacked the Philippine policy of the government and of the War Department in the public press. She was dismissed, brought suit for reinstatement on the ground that she had a right to the expression of her own political opinions. The court decided against her. Her act was subversive of good discipline.

Hence the suggestion made last August by Mr. Erving Winslow to the League which had the charm of novelty, if not of rationality, would seem impracticable. He asks:

"Why should not the Civil Service League aim to bring about a civil service rule which should absolutely forbid the exercise of any share in political management or in the conduct of political campaigns to functionaries of the party in power in behalf of that party, whether belonging to the unclassified or classified service. The freedom which would be given to faithful servants of the country belonging to the classified service (and not subject to any punishment for their action) to testify to the need of the success of an opposition party, from their knowledge of the workings of their own departments, would be of the greatest service in strengthening such an opposition party and in enlightening the public mind."

It would hardly be fair in this manner to stifle the one side and let the other speak. On the other hand, it is equally unfair to permit partisan activity in favor of the party in power in the civil service and to repress it where it is against the party in power. That was the thing that was done under Mr. Cleveland and in a good many cases since his time. Political activity on either side, is, moreover, liable in many cases to impair the impartiality of the officeholder or employee in regard to his official work. If he is a strenuous partisan and any matter comes up before him as often occurs, involving action which may affect party activity, he cannot look at it with impartiality. For the same reason we think it wise that the judges should abstain from any great amount of political activity lest their suitors be treated unfairly on account of it, or lest it may be believed they are unfairly treated and thus the bench become discredited.

The order of Mr. Cleveland which applied generally to all classes of officeholders and which was very badly enforced led to a paragraph in the Eleventh Report of the Civil Service Commission, which was drawn up by President Roosevelt when he was commissioner. It is as follows:

"The commission feels strongly that whatever rule is adopted should apply equally to adherents of all parties, and that it would be safe to adopt as such a rule the requirement that the adherents of the party in power shall never do what would cause friction in the office and sub-

vert discipline if done by the opponents of the party in power. A man in the classified service has an entire right to vote as he pleases and to express privately his opinions on all political subjects, but he should not take any active part in political management or in political campaigns, for precisely the same reason that a judge, an army officer, a regular soldier, or a policeman is debarred from taking active part. It is no hardship to a man to require this. It leaves him free to vote, think, and speak privately as he chooses, but it prevents him, while in the service of the whole public, from turning his official position to the benefit of one of the parties into which that whole public is divided; and in no other way can this be prevented."

After Mr. Roosevelt became President, I again called his attention to the matter on behalf of the Civil Service Commission in connection with the omission from the new postal regulation of a former order prohibiting obtrusive partisanship. The answer of the President received June

13, 1902, was as follows:

The trouble, of course, comes in the interpretation of the executive order of President Cleveland. After sixteen years' experience it has been found impossible to formulate in precise language any general construction which shall not work either absurdity or injustice. Each case must be decided on its merits. For instance, it is obviously unwise to apply the same rule to the head of a big city federal office, who may by his actions coerce hunthreds of employees, as to a fourth-class postmaster in a small village, who has no employees to coerce, and who simply wishes to continue to act with reference to neighbors as he has always acted. As Civil Service Commissioner under Presidents Harrison and Cleveland I found it so impossible satisfactorily to formulate and decide upon questions involved in these matters of so-called pernicious activity by officeholders in politics that in the Eleventh Report of the Commission I personally drew up the paragraph which you quote. This paragraph was drawn with a view of making a sharp line between the activity allowed to public servants within the classified service and those without the classified service. The latter are under our system, as a rule, chosen largely with

reference to political considerations, and, as a rule, are, and expect to be changed with the change of parties. the classified service, however, the choice is made without reference to political considerations and the tenure of office is unaffected by the change of parties. Under these circumstances it is obvious that different standpoints of conduct apply to the two cases. In consideration of fixity of tenure and of appointment in no way due to political consideration, the man in the classified service, while retaining his right to vote as he pleases and to express privately his opinions on all political subjects, 'should not take an active part in political management or in political campaigns, for precisely the same reasons that a judge. an army officer, a regular soldier, or a policeman is debarred from taking such active part.' This, of course, applies even more strongly to any conduct on the part of such employees so prejudicial to good discipline as is implied in a public attack on his or her superior officers. or other conduct liable to cause scandal.

"It seemed to me at the time, and I still think, that the line thus drawn was wise and proper. After my experience under two Presidents—one of my political faith and one not—I had become convinced that it was undesirable and impossible to lay down a rule for public officers not in the classified service which should limit their political activity as strictly as we could rightly and properly limit the activity of those in whose retention and choice the element of political considerations did not enter; and afterwards I became convinced that in its actual construction, if there was any pretense of applying it impartially. it inevitably worked unevenly, and, as a matter of fact. inevitably produced an impression of hypocrisy in those who asserted that it worked evenly. Officeholders must not use their offices to control political movements, must not neglect their public duties, must not cause public scandal by their activity; but outside of the classified service the effort to go further than this had failed so signally at the time when the Eleventh Report, which you have quoted, was written, and its unwisdom has been so thoroughly demonstrated, that I felt it necessary to try to draw the distinction therein indicated."

It is clear that the President's letter took the best possible ground under the existing conditions. It was far better to limit prohibition of all political activity to the competitive classified service and enforce it there than it would have been to leave it general as under the law of Mr. Cleveland and fail to enforce it properly at all. Even as to unclassified and non-competitive service, a good deal will be accomplished, if officials do not neglect their duties, cause scandal or coerce their subordinates. The bulk of the evil will be eliminated even here, yet, the difficulty in this class of cases is that the proof is hard to obtain.

A man may spend the usual business hours in his office, yet, his mind may be so engrossed with politics as to make him a most inefficient officer. The definition of scandal is immensely elastic and the coercion of subordinates may be affected without the proof of any overt act being possible. If the head of a great office takes the part of a leader in a political campaign, his subordinates are certain to feel more or less constrained to follow his example, if they want to stand well with the source of all promotions and official favors.

The civil service law expressly prescribes that no person in the service has a right to use his official authority or influence to coerce political action, nor is any official or employee under obligation to render political service. But, as the Civil Service Commission has said, the importance of these injunctions lie to a great extent in their value as precepts, since it is rare that the actual proof of coercion can be made.

It is therefore evident that the letter of President Roosevelt, while the best possible under the circumstances, did not represent the ultimate desideratum in the matter of political activity. That will not be reached until all such activity is wholly eliminated except in offices which are themselves political, such as members of the Cabinet and other political advisers of the President.

Since the letter of President Roosevelt, in 1902, the difficulty has been that the rule had to be enforced by the heads of different departments and not by a central body like the Civil Service Commission. It was therefore en-

forced quite unevenly, very well in some places and badly in others; the definition of political activity being more or less broad as that particular department deemed best. The League, therefore, petitioned the President to put the matter under the control of the Civil Service Commission. Accordingly, on June 3, 1907, the President added the following provision to Rule One for the purpose of forbidding official authority or influence of interfering with an election:

"Persons who, by the provisions of these rules, are in the competitive classified service, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in

political management or in political campaigns."

This placed under the jurisdiction of the Commission to be investigated by them all cases of political activity by members of the competitive classified service. Since that time the Civil Service Commission has been investigating cases of offensive partisanship. Among other cases: Shipping Commissioner, William R. Knight, Jr., of Philadelphia, has been removed from office by the Department of Commerce and Labor, the removal coming as the result of an investigation by the federal civil service commission upon charges of political activity and violation by the President's order.

Knight was appointed in 1903 to the position of shipping commissioner because of his successful efforts in breaking up by force a convention of the Union Party in 1902. The position of shipping commissioner at the time of Knight's appointment was not in the competitive class, but Knight appears to have continued his political activity, although he knew of the change of status of his posi-

tion and of the consequent restriction.

During the investigation he was particularly defiant and is reported to have said that he had always been in politics, that it was men like him that had elected President Roosevelt, and that if Secretary Taft could go running about the country talking politics he did not see why he (Knight) should not, and that the proposed to continue being politically active.

In view of these facts, the department felt that the

charge of political activity was sustained by his own admission and accordingly requested his resignation. Of course, there was "indignation." Knight declared that the Civil Service was a fraud and there was talk of beginning an agitation against that monstrosity. A spoilsman writes to the New York Times:

"Our once splendid organization is emasculated, and the effect will be felt at the polls in the coming campaign, as also in the great struggle next year. District Captains are moving out of their districts by scores and vol-

unteers for glory are very scarce.

"Employees under our great Republican Government are forbidden to take active part in politics, are forbidden to take tickets for their district club affairs, whereby these clubs derived their sinews of war for Election Day.

"Where promotions are made, democrats of years' standing were selected; where raises in wages were given, democrats were selected and their salaries raised. These facts, Mr. Editor, are easily corroborated by many republican officeholders. Officeholders are kicking over the traces in every department and vote as they feel like. What is the result? The district leader is powerless, and these placeholders spurn the hand that once fed them."

The provisions against political activity thus incorporated into the federal rules have been followed in certain city ordinances, state laws, executive orders of local administrative officers and rules of local Civil Service Commissions, among these may be instanced the Burrage Ordinance in Boston, the Shern Act in Pennsylvania, the Rules of the Civil Service Commission of Los Angeles and the announcement made by Mayor Guthrie of Pittsburg.

On April 21, 1898, Albert C. Burrage introduced in the Boston Common Council an ordinance providing that "no clerk, employee, commissioner, member of any board, or other officer of any department or branch of the city government, except those elected by popular vote, shall be an officer of any political caucus or a member of any political committee or convention." The Mayor, Council and Aldermen were democratic. The ordinance passed and as a consequence about one-fourth of the democratic City Committee had to resign.

The ordinance, however, afterwards proved to be in-

adequate because:

1. It did not prohibit employees from being present

and influencing political caucuses, etc.

2. No penalty (such as removal) was provided or other method of enforcement and the courts would not interfere.

(2) Philadelphia: In Philadelphia a law has been in force since 1885, which forbids any officer or employee of the city or any contractor under the city, under pain of dismissal, to be a member of or delegate to any political convention or to be present except in the performance of official duty.

This provision was amended on Feb. 15, 1906, by the so called Shern Act, still broader in its provisions, which

are as follows:

No officer, clerk or employee of any city of the first class, or of any department, trust or commission thereof. shall be a member of, or delegate or alternate to, any political conventions, nor shall he be present at any such convention except in the performance of his official duty. No officer, clerk or employee of any city of the first class, or of any department, trust or commission thereof, shall serve as a member of, or attend the meetings of, any committee of any political party, or take an active part in political management or in political campaigns, or use his office to influence political movements, or influence the political action of any other officer, clerk or employee of any such city, department, trust or commission. No officer, clerk or employee of any city of the first class shall in any way or manner interfere with the conduct of any election, of the preparation therefor, at the polling place, or with the election of officers while counting the vote or returning the ballot boxes, books and papers to the place provided by law for that purpose, save only for the purpose of marking and depositing his ballot as speedily as it reasonably can be done; or be within any polling place, or within fifty feet thereof, except for purposes of ordinary travel or residence, during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes, and have left the polling place for the purpose of depositing the ballot-boxes and papers in the place provided by law for that purpose, excepting only officers of the Bureau of Police, who may temporarily approach or enter the polling-place in order to make any arrest permitted by law, or for the purpose of preserving order, and in each such case only long enough to accomplish the duties aforesaid, after which the said officers shall at once withdraw. Any officer, clerk, or employee of any city of the first class, or of any department, trust or commission thereof, violating any of the provisions of this section shall be immediately dismissed by the Mayor, or by the head of the department, trust or commission in which he is employed.

The provisions of this Shern Act as it is called, are, in the main, very well devised. Perhaps the law goes too far in applying to the non-competitive service a rule broader than that service will bear at the present time. The great difficulty with the matter has been that the Mayor, whose duty it is to enforce the law, cannot be induced to do it. We might have the same difficulty with enforcing the federal rule if the President were equally reluctant. The ultimate power must reside somewhere, and as to executive affairs it would be even more dangerous to leave it with the courts.

The Pennsylvania Association has sent to some 400 municipal employees who are alleged to have violated this law a letter calling their attention to the provisions of the act and warning them against such violations.

The letter has resulted in a number of officeholders promising to refrain from further political activity.

Another most refreshing instance of the prohibition of political activity is furnished by Mayor Guthrie of Pittsburg, who, in an interview last summer stated:

"It is a mistake to suppose I will 'request' all city employees coming under the civil service regulations to retire from active connection with politics, and to withdraw from county, city, ward and district political committees.

They must withdraw or resign. City employees may vote as they please; think as they please and express any political opinions they please, but they must refrain from participating actively in political campaigns and must withdraw from political committees.

"It is not necessary for them to do a certain amount of political work in order to secure a position on the pay roll and I want them to let others be the politicians."

Although there is no clause in the civil service provisions of the charter of Los Angeles, approved Jan. 23, 1903, it gives the commission direct jurisdiction over political activity. Yet, the spirit of the charter of civil service regulations was considered by the commission as sufficient to justify them in promulgating the following sections as Rule 7, Clause 8, of the civil service rules.

"Rule VII, Clause 8.—Participation of employees in the classified civil service in partisan politics, except to vote, is contrary to the spirit of the charter and subversive of the best interests of civil service. And such participation is hereby strictly prohibited. The violation of this rule by a civil service employee shall be sufficient ground for his removal."

On September 27, 1904, charges were filed by the Municipal League against Hayhurst, an employee in the Street Department, alleging violation of this rule. The Commission dismissed him from the service, such dismissal to take effect October 15, 1904.

It thus appears that the civil service commission of that city intends to see that political activity is really prohibited.

The foregoing account shows what progress has already been made in the elimination of political activity by the officeholders, and the question remains: What is the best thing to be done now? Ought all political activity to be at once prohibited, or had we better await the growth of the non-partisan spirit in our public service and let the change come as it seems to be coming now, by natural evolution? It is my opinion that the latter is the wiser course. Year by year the classified service is increasing, and as soon as any new place is incorporated

into it the President's prohibition applies. Year by year men are coming to regard even unclassified places as less and less political in their character. The evil is constantly diminishing. A more extensive prohibition would probably not be enforced, especially if a new administration, less favorable than the present one to civil service reform, should come into power. I, therefore, believe that the important work for the League is not to seek any change in federal rule as at present promulgated, but to use their effort to see that state governments and city governments everywhere embody similar provisions in laws, ordinances and rules, and that these provisions are enforced by the appropriate authority.

DISCUSSION.

Mr. Bonaparte:

I think it may be perhaps of a little interest to know of an incident with which I became acquainted, not by reason of my official position at all, but for certain other reasons, and which illustrates how difficult it will be to establish a uniform standard of political activity or inactivity among any class of employees when the heads of the offices under whom these employees serve are themselves active, practical politicians. I became acquainted recently, though not during the present year, with the contributions obtained by a political party from the subordinates of two very important federal offices in the same city. At the head of one of these offices, both of which contained a large number of employees, was an extremely prominent and active politician. At the head of the other was a gentleman of the same political faith but who had never been active in politics and who was well understood completely to disregard political affiliations, party affiliations or political opinions in his administration of his office. Now, both of these chiefs were efficient officers with good records themselves. Both of them made liberal personal contributions towards the political work of the party to which they both belonged. In both offices the civil service law, I have every reason to believe, was strictly observed and I do not think it would be possible to obtain the slightest proof that in either of them there was any coercion of employees. That being the case, the subordinate officers of the federal office which had at its head an active politician, contributed \$1,500 towards the expenses of the party to which he belonged, and the subordinates of the office, which had at its head, as I have said, a gentleman who is known to be absolutely impartial in dealing with them, contributed the sum of \$13 towards the expenses of the same party.

If there is any moral to be drawn from that experience, I think the League can be trusted to draw it

Mr. R. H. Dana:

In Dorman B. Eaton's invaluable work on Civil Service Reform in Great Britain, he relates the experience in that country. There it had been found that, before civil service reform was introduced, all the employees in the postal service secured their positions through politics and retained them on their political allegiance to their superior officers. Also in England at that time there was no voting by ballot; it was all viva voce, and the subordinates, as a matter of fact, were not free voters but cast their ballots in the way that would most please those to whom they owed their term of office.

To cure this state of things, a law was passed taking away the right of post office employees to vote. Afterwards, when civil service reform was introduced and these offices were taken out of politics, and when a secret ballot law was enacted and the employees were free from the undue influence exercised on them, the franchise was restored.

This is a very interesting experience, and seems to me to illustrate how a great and free people felt that for the good of the whole country, it was better to deprive these employees even of the power of voting under the old conditions that then existed, and how, just as soon as the conditions were changed, and the employees were free to vote as they wished, the practical minded British Parliament revoked the prohibition.

In the army and navy and among the judiciary in this country, there is a feeling that it is wisest on public principle not to take an active part in politics.

Competitive Examinations for Legal Positions

HON. JOHN LORD O'BRIAN.

Recalling the conditions in the public service which made possible the establishment of the merit system, it is strange that one anomaly in the administration of the civil service statutes has escaped general attention,—the fact with a few trifling exceptions the legal positions throughout the country have been and are entirely outside the operation of the merit system. And by legal positions we mean of course chiefly the staffs of the various law departments—national, state, county and municipal.

For the exemptions of the legal positions there have been undoubtedly two reasons first and foremost, the argument that all legal positions are in their nature essentially confidential, and second, the supposed difficulty of devising any kind of examination which would test satisfactorily the peculiar qualifications necessary for this class of positions. Twenty years ago, when the merit system was receiving its first real trial in this country, conditions were undoubtedly such as to make both of these arguments effective, but the writer believes that the change in conditions has greatly weakened their potency.

In the first place, the Bar itself has undergone a great change. Twenty-five years ago there was no real or efficient standard governing admission to the Bar, there were practically no preliminary educational requirements; nor was there in general use any rational or scientific method for gauging the qualifications of an applicant. This condition existed generally throughout the country down to a time much later than twenty years ago. In those days the examining of applicants was done by hastily appointed committees, often made up of attorneys who happened to be in the court room at the time and

who were frequently quite as embarrassed and as much at sea as the candidates themselves. Under these circumstances the so-called examination often amounted to nothing more than a rough guess as to the candidate's knowledge, or a surmise as to what potentialities lay behind his appearance of self assurance or effrontery. In 1870 there were twenty-eight law schools in the country, only one of which had entrance requirements and only one of which used the case system; today we have one hundrd law schools with an attendance yearly of over 14,000 students and 64 of the schools require a 3 years' course preliminary to a degree. In 1879 there were only 7 states requiring three years' study for admission to the Bar: now 19 states require three years of study and 36 have state boards of bar examiners. In New York State the requirements are high; 3 years' study and a preliminary education equivalent to 2 or 3 years of high school work.

But the change in conditions is not confined to the matter of requirements for admission to the Bar; more significant is the change in the nature of the legal positions themselves. Twenty-five years ago these were comparatively few in number. Nothing in the history of civil government is more interesting than the development of these positions-particularly those concerned with the administration of municipal government. In days gone by—and especially as far back as the early '80's the occupants of these offices were pre-eminently the trial lawyers. The business of a city was then done under far different conditions than it is now. Look for instance at the growth of American cities: In 1880 only 22.57% of the population lived in cities of over 8,000 inhabitants; in 1890 over 33% lived in cities; while in the year 1901. 77.6% of the population of New York State lived in cities, and in New Jersey the percentage was 76.2%. Years ago the business of these offices,—and the same observation applies to the state and national law departments.—was the business of litigation, mainly prosecutions for the enforcement of rights. Trial or court work was then proportionally a far larger element in the work of these offices than it is today. And the reason for this is not far to seek. The immense expansion of business,

the complexity of economic conditions accompanying this advance and the intensifying of our civilization have entirely changed the character of the work to be done in these law departments. The law-is a constantly growing science, based on fundamental principles, but always developing, always adapting itself to changing and more complex conditions. Entirely aside from the great bulk of statute law, forever growing and forever vainly seeking to overtake the advance in business methods and changing social conditions, the increasing complexity which is a concomitant of civilization brings with it in the decisions of the Courts a continuous process of refinement in the interpretation of the law, a process of

modification, of shading of precedents.

The practice of the law, as every attorney here knows, has become a well specialized science in which the general practitioners are daily becoming more rare. The stress has changed, the emphasis is now laid upon close study, discrimination, rather than upon the externals. And so in our various law departments there has been growing up during these years a new class of lawyers. Instead of being equipped with a small corps of "all round" men, our various law departments are equipped with large staffs a few of whose members are trial lawyers and advocates, but a greater number of whom might technically be called experts. These men rarely, if ever, have occasion to appear in court; they concern themselves in their various well defined spheres of work, with the preparation of cases for trial, the analysis of evidence, the preparation of pleadings, indictments, and of briefs for argument. Some are advisers of the department heads; others devote their entire time to investigating the terms and phraseology of contracts, or of bonds, and to the investigation of the legality of ordinances, of statutes, of assessment rolls, or to the study of economic data in connection with tax and franchise matters. Taking at its face value the assertion that now-a-days it is by means of the subtleties of taxation and unfair discrimination that men are oppressed and denied their "equal chance," the public law department appears in a new light, with changed and greatly increased responsibilities.

And over against the men who temporarily hold these legal positions in our various law departments are arraigned the most able, acute and experienced counsel, experts in the best sense of the term, skilled men who have given a life time of study and observation to the special questions to which they address themselves and to the protection of the interests which they represent. In disputes over the all important questions of taxation and discrimination the aggrieved citizen seeks assistance from the ablest attorneys and scientists—experts everywhere. Into what intricacies and complexities these disputes may lead has been singularly well illustrated of late years in the various legal proceedings relating to the regulation of business alleged to be carried on in the interest and for the benefit of the people at large.

In fact, it is not too much to say that during the past ten or fifteen years the departments of law, in the national, state and municipal administrations, have necessarily assumed an entirely new position in our policy,—a position not only new but of immense importance. economic conditions become more intricate and their influences more subtle; as refinement of law follows upon refinement at the hands of the courts, the people at large become less and less able to guard intelligently those interests which particularly concern them and they more and more place dependence upon the law officers whose duty is the proper enforcement of the law. With these conditions of increasing complexity the interests of the public find protection not in the safeguard of the courts more than in the integrity, the knowledge and the skilled experience of the public law officers.

To revert now sharply to the specific subject of this paper, if the observations just made have any pertinence, and are entitled to any weight, it must be readily apparent that we are conducting our law departments upon an antiquated, unscientific and inefficient basis and are continually exposing our interests to great and sometimes to desperate hazards. For example, when the present Attorney General of New York State took office he, following the practice of his predecessors, at once named new men for all positions in the office. What the result

would be in the Department of Justice in the event of a change in party administration we can only imagine. In American cities the same custom prevails; a change in administration produces a clean sweep of all legal positions. Men who have become expert in the work of their positions are thrown out and replaced by men who, whatever their ability, are unfamiliar with the work which they are about to undertake. Important half finished litigations and half completed arguments pass into the hands of strangers, contracts are to be drawn or passed upon by men entirely ignorant of the previous history of the law department; and the previous experience of the city problems in corporate regulation are presented in all their intricacy to men unfamiliar with the history of their development and without experience in handling them. All of the accumulated valuable knowledge and experience of the office are cut away and go to waste while new men learn the ropes and start all over again. is this the worst, there is little incentive for high grade work; for the new men, some of whom are certain to be chosen not solely for fitness or efficiency, but for political reasons, undertake this process of education at the expense of the community fully conscious of the fact that their occupations are merely temporary and that they, too, will go as soon as the administration changes.

For years we have fought in the defence of subordinate clerks skilled and made valuable by mere routine, and yet today it is practically the universal rule to throw out these legal officers and employees, men especially trained in peculiar work, and to choose their successors under the old discredited system. If any part of the service requires stability for development, this is the part because of the distinctly peculiar nature of its work; if any one department needs every safeguard to secure ef-

ficiency, this is that part.

Is it not time for an aggressive change of attitude on

our part and for at least some experimenting?

Turning to the practical side of the question and taking up the objections commonly urged against placing legal positions on the competitive basis, it would seem that the time has come when the qualifications of appli-

cants for at least the subordinate positions in the various law departments may be determined by means of competitive examinations. It may be that the higher positions—those involving court work on trials, arguments or appeals—should remain exempt, for in work of this character the personality of the individual is a serious, sometimes the all-important, factor; and it is certain that if we confine ourselves to written tests, no written examination can test satisfactorily the ability to cross-examine or to persuade juries, or the attributes of manner, of tact, of address,—in short, that intangible and indefinable quality of personality which is a gift, not a development, and which distinguishes the advocate from his fellow lawyers. It should be remarked, however, that possibly the trouble lies with the kind of examination and that some test in addition to the written one could be used to good advantage.

But, leaving aside the relatively small class of advocates who do the work on trials and appeals, this particular objection loses weight when considered with reference to the remaining positions in these law depart-Even the mere written examination should ments. abundantly test an applicant's fitness for one of these subordinate positions. For it may fairly be said that there is no profession in which a man's mental ability and equipment can be so thoroughly tested as in the profession of law. Here the old fashioned method of calling for definitions and asking questions which may be categorically answered, has disappeared. The modern examination uses instead the hypothetical question, confronting the applicant with concrete statements of fact; each question calling for an opinion in parco. For example, a recent Bar examination paper used in this state contained 50 problems, put in the form of hypothetical questions and covering twenty different topics of law. A man's knowledge of principles, his sense of discrimination, power of reasoning and judgment, in short his whole mental makeup, may be measured by means of such an examination; while a proper system of investigating the applicant's past record should give recognition and credit to the element of experience.

In New York City, the new public service commission is selecting its lower grades of subordinates upon this very theory. Realizing that its work will be largely concerned with the comparatively new problems of corporate regulation, and that this is a subject to which the best law schools have been giving serious attention, the commission is willing to accept for these lower positions men who can demonstrate by competitive examination the fitness of their mental equipment even though they may have had little or no experience in the practice of the law.

Conceding, for the sake of argument, that the merit and fitness of this class of subordinates may be satisfactorily tested by means of competitive examination, there still remains our perennial stumbling block; the objection that the duties of all legal positions are in their nature confidential and that therefore it is impracticable to fill them by means of competitive examination.

"Duties of a confidential nature,"—how often the phrase has balked our best endeavors! It is an open question, which of the two evils has most damaged the efficiency of the public service, the recognition by statute of that rank system of preference which is the dryrot in the very framework of our "civil service" statutes, or the resort by the courts to this phrase "duties of a confidential nature." There is an anomalous type of mind which regards every position as having a confidential character. With the legal positions this idea had its origin in the theory that relations between a lawyer and his client are essentially confidential. But this is so partly because the relation is so purely a personal one. The very word confidential implies the personal element. So in a deeper sense the relation between a physician and his patient is in the highest degree confidential. Yet in filling the vacancies in our hospitals the competitive examination is successfully used and if the argument be pressed it will appear that the men in the subordinate legal positions, aside from the advocates, are men of technical knowledge and skill fully as much as the laboratory workers whose abilities and fitness have been so well tested by competitive examinations. Furthermore, the analogy between a

man in one of these positions and a lawyer in private practice is not a fair one, for here the element of personal relationship is absent. The work of these subordinates in the public law offices has no particularly confidential element in it unless it be the fact that a man is entrusted with the knowledge of certain facts and conditions and that he is supposed to attend to his own business;—and that characterization applies to every clerk and subordinate in the whole service. At any rate a proper power of removal would obviate this objection.

From all of this exposition and these deductions, more or less academic in character, it is refreshing to turn to the material world of fact accomplished and to see what has been the result of filling a few legal positions by means of competitive examination. The experience of the office of the corporation counsel in New York City has been illuminating. When the White law went into effect in 1898 there were in that office two classes of subordinates,—the assistants and the junior assistants, the last mentioned being classified in the competitive class. Under Mayor Van Wyck's administration the number of exempt assistants was fixed at 75 or large enough to cover all the subordinates needed, consequently no junior assistants were appointed. Later, under Mayor Low, the number of exempt assistants was cut to 65, an examination was held for junior assistants, a number were appointed and the class has ever since remained in existence, being replenished from time to time through competitive examinations. Excellent men have been obtained in this way; some of them have been promoted from time to time and at least one has been promoted to one of the higher exempt positions.

Inspired by the success of this trial, the public service commission in the first district has followed its example. In the law offices of the commission the staff will eventually include two lower grades of subordinates—consisting of probably 10 assistant junior counsels, with salaries ranging from \$1,200 to \$3,000, and five law clerks with salaries varying from \$600 to \$1,080. Both of these grades are to be filled by means of competitive examination. The examinations have already been held and a

large number of applicants tried them. It will be noted that here not only the mere routine positions-law clerkships,—are to be thus filled, but a higher grade is included, that of men who will be an integral part of the administration.

Wisconsin has boldly gone even further with the theory; for the civil service law in that state gives the Attorney General only one exempt deputy, classifying as competitive four other assistants whose salaries range from \$2,000 to \$3,000. Thus far Wisconsin has held no competitive examinations for these positions because there have been no vacancies; but competitive examination has been held for the position of deputy state fire marshal, an office which must be filled by an attorney. Fifty-three lawyers tried this examination and it is said that the four highest men were lawyers recognized throughout the entire state as men of ability. Relying upon the satisfactory result obtained by this examinaion the commission recently refused a request from the Attorney General who asked for the exemption of an additional assistant in his department.

Cook County affords the most interesting example of all, for there all of the assistant county attorneys—four of them with salaries ranging from \$2,160 to \$2,700, have been actually chosen by means of competitive examination and the counsel to the president of the county board, an official whose salary is \$3,600, has also been chosen by means of competitive examination. In fact the system has worked so well that in the last legislature an attempt was made to extend it throughout the state service. the bill, which failed of passage, it is interesting to note that a line was drawn separating the subordinates into two classes, it being proposed to exempt the one covering trial and appeal work and to include the remainder under the competitive classification. On the other hand, no such line of demarcation is drawn either in the Wisconsin law or in the law for Cook County. In none of the examinations actually made in any state thus far have any tests been used other than the written examination covering technical knowledge and allowing credit for experience.

The experience of Wisconsin, of Cook County and of New York City alike demonstrate that so far as the element of selection is concerned, the method of competitive examination is practicable and apparently desirable. There still remains for consideration one factor which is one of the large questions in all discussions of the merit system,—the power of removal. In the first place it must be evident that the competitive test cannot be satisfactorily applied to legal positions if any arbitrary system of preference restricts the power of either appointment or removal. The existence of the preferred class in the merit system is inconsistent with any ideal of efficiency and it is a paradox which should long ago have received more courageous treatment at our hands.

This is not the place to discuss the broad question of the power of removal. Frankly conceding that a great and reasonable difference of opinion exists with reference to it, the writer believes in an unrestricted power of removal here and elsewhere. Efficiency in the service should be the only consideration and while an unrestricted power of removal does occasionally work an injustice to an individual, the resulting premium upon efficiency is a great gain for the entire service. But however this may be, it may reasonably be said that in our law departments even a combination of competitive examination and a restricted power of removal could not so much endanger the public interests as does the present haphazard system.

It is to be hoped that the day will come when all subordinates in legal positions, court men as well as office men, will be chosen on competition for merit and fitness, but so radical a change is not soon to be obtained, nor would it now be desirable; it will be far better to apply competitive examination first to the subordinate legal positions. In this field practical results are certain to be obtained and we shall secure not only greater efficiency in the immediate future, but also the greater result—for us the greatest of results—the education of the public into increased confidence in the justice, the good faith and the efficacy of the entire merit system.

DISCUSSION.

Mr. Foss:

As a believer in the merit system and a member of the bar I cannot think that our profession would suffer any diminution of dignity by subjecting it to fair tests already applied to other professions. Very frequently the commissioners, I imagine, are found to be lawyers, and they do not hesitate at all to subject medical men to these tests. Sometimes they are more loath to subject their brethren at the bar to similar competition. I just want to bring to the attention of the members of the League experiences that occurred at times when the oldfashioned employees were urged upon commissions. In Philadelphia from 1885 to 1906 there was sort of a merit system in existence, subjecting most minor positions to the competitive system but making exceptions in certain cases, and under that law it had been decided by the courts that all assistants in the law department of the city, not only lawyers but also clerks and stenographers, were exempted by the language of the act. In 1906 there was a new civil service law passed in the state applying to Philadelphia, and the head of the department of law, whom we call the city solicitor, appeared before the civil service commission to urge that the positions in his department be exempted. Those positions were partly those of assistant city solicitors, as we term them, necessarily members of the bar, and partly clerks, stenographers, etc., and the city solicitor, who was a very dignified member of the bar, with a fine presence, in the spring of 1906 argued before the civil service commission that the positions in his office were of a peculiarly confidential nature, that they were necessarily filled by experts, that technical knowledge was often necessary, and legal attainments of a high order, and made a strong plea along the lines that had been indicated in the paper. The commission asked whether he had any distinction to draw between the offices necessarily to be filled by lawyers and the others, but he had no distinction to draw. and the commission had the argument presented to them that it was as necessary to exempt the chief clerk and clerks—I do not refer to law clerks—but minor clerks.

stenographers, janitors, messengers and cleaners, as it was to exempt the positions to be filled by lawyers, and could not secure an admission from the city solicitor that there was any distinction between the two. mission did exempt for one year the legal positions and declined to exempt the others. I think that we find in that kind of a plea made by the head of a law department, the manner in which the subject is treated. Surely the plea made by a distinguished lawyer that the cleaner of the jury room was a position requiring expert knowledge and of peculiarly confidential relation to the city solicitor and to the legal business of the city, when in the same argument, the same words, the same breath, he sought to have his principal four, five and six thousand dollar assistants exempted, cannot be taken with any very great seriousness by those who are real believers in the merit system. The exemption of legal positions, as I say, was made for a period of one year, and unfortunately for those who hoped that that might have some meaning, those who made the exemptions at that time had no power when the year was up to place an end to the exemptions.

Mr. Wilcox:

I want to add my testimony, as a practicing lawyer, though never in an official position, to the effect that there is no reason beyond mere prejudice on the part of lawyers themselves, why legal positions, not merely subordinate ones, but legal positions of very considerable importance and exercising a considerable authority under the head of an office, should not be filled through competitive examinations. I do not believe there is a lawyer who really knows what has been accomplished by means of competitive examinations in the way of ascertaining the fitness of candidates who will doubt that conclusion for a moment.

So much of the drafting of civil service laws and rules has been done by lawyers that the exemption of legal positions is a natural consequence of favoritism to themselves. It is not creditable, but it is true. It is also true that lawyers have an instinctive feeling that their affairs are secret. The confidences of clients are secret of

course; information is often imparted to them which it would be disastrous to have go any further; and in general about a law office there is required secrecy in the handling of papers, and in all the conduct of the office. But I believe that secrecy would be in no danger from the fact that the clerks and stenographers and even the junior assistant attorneys, were selected by a system of competitive examinations so broadly and intelligently devised as the systems now in existence, and with the safeguards which they present. It is also probably true that there is not the same need for secrecy in most public law offices that there is in a private office. Municipal business, state business, government business, does seem to involve the same kind of privacy, and there are necessarily more people who are entrusted with the knowledge of it. If the selection is intelligently carried out and the power of removal is not restricted—a proposition to which I give my full assent—and if the subordinates as well as the head of the office are held responsible, the secrets which have to be handled in a public law office, even the secrets of the grand jury room, are in no danger of getting out.

The ideal of a great law department is simple. Take the law department in New York City for instance. I select it because it is more familiar to us than the Attorney-General's office in Washington, which is larger and much more ramified, and we don't know so much about the attorney-general's office at Albany, though that is a simpler proposition. But in New York City they have a law department which is like that in Buffalo, and in other cities, only are bigger or smaller as the case may be. There is a head of the department, who is either named by the mayor or, as unfortunately is the case in Buffalo, elected by popular vote. He has one or more responsible assistants who have charge of branches of the business. In a great city like New York there are a good many of these; and below them come an inferior body of legal workers, although they do work of responsibility, and then come the clerks. Now, an office like that should be built up upon the principle of the selection of young men, not old, worn out political hacks or men who have proved their inability in private practice, but young, energetic, ambitious, progressive men, not quite fresh from the law school, but from the law school with a few years' experience added, men who are growing and still have ample possibilities of adapting themselves to new things. These should go into the inferior places, not necessarily the lowest, but still the inferior places, and the higher places should be filled by promotion. The prospect of promotion is necessary to induce good men to enter the lower places, and do their best work in them.

There should be no change in such a law department, upon a possible change of the city administration. Even if the mayor, having the power of appointment, in order to have complete confidence in the head of the law department, sees fit to make a change in that, the assistants should stay there. We may possibly admit that, under some circumstances, the first assistant, or two assistants, might also be changed, so that the headship of the office would be secure against illness or absence or possible death. But I will not make a single concession beyond One alternate is enough; and below that the law that. office should be a permanent bulwark of the people against opposing interests, filled with men who have earned their places by open competition in the first place. and by competition among themselves after that, until the best have got to the top. It needs specialists in taxation, it needs specialists in assessment law, it needs specialists in accident cases, it needs specialists in all the great branches into which the law is subdividing itself. who are able to compete with the most skillful specialists that can be put up against them.

Look at the picture of the great city of Buffalo, with its hundreds of millions of property, with its millions of dollars raised every year by taxation of the people to carry on the corporate business, when the head of the law department changes upon a political revolution—because he is elected here, and he might go anyhow if he were appointed by the mayor—not only he goes but nearly all his assistants, from top to bottom, go out with him, and the law business of the

city is thrown into chaos, or liable to be thrown into chaos every few years. It is hard to understand how an intelligent community can submit to this, but this is our exact situation as has been pointed out by Mr. O'Brian. Let me say for our credit there are one or two in that office who have grown so useful that they have stayed there through several administrations, and this must be true elsewhere. As a concession to the necessities of the case they cannot be removed, and that concession gives away the whole case. There should be not only one or two or three, but they should be all of that kind.

One other suggestion I want to make. Even the matter of personality, which Mr. O'Brian referred to, and which is so important a qualification of lawyers who fill the higher positions and who represent the law department before the courts and before the public,—even as to that quality let me point out that law examinations have reached a stage at which it can be ascertained more definitely and with more certainty than in any other class of examinations that are known, except perhaps surgical, and the exception depends upon the same reason. You can test that in an examination of lawyers or of surgeons by practical methods. In a surgical examination you can call the surgeon in and make him operate upon a patient, and they do this in the more intelligent examinations; and in a law examination you can call the candidate in and give him a new question, tell him to get up and argue this before the board of examiners, and you test his personality right then and there. You can have a moot court and let the candidates debate with one another. That is a recognized and proper part of a law examination, to test the intelligence, address and personality of the applicants.

Mr. Buell:

I was very much interested in the very able address which was given by Mr. O'Brian and I want to say that I heartily concur in what he has said and in what has been so well said by the gentlemen who have discussed this question. I think this paper interested me more than any other topic on the list and I think perhaps it was on account of this paper more than anything else that I came

the 700 miles which I have come to listen to what was to be said. It is a question which we have had to deal with very recently in Wisconsin, as has been stated by Mr. O'Brian, and we have had to act upon it somewhat differently than has been done in most places. As you well know, our law only provides for the exemption of one position in the attorney-general's department. legislature at its last session reorganized the department and created a new position, that of deputy attorneygeneral. Previous to that there were the positions of attorney-general, first assistant, second assistant and law examiner, beside the subordinate positions. The legislature, in its last session, reorganized the department, did away with the position of the law examiner, created positions of three assistant attorneys-general and also created the position of deputy attorney-general. Under the law as it stood up to that time the position of first assistant attorney-general was the exempt position. When the legislature last winter created a position of deputy attorney-general the position of deputy became the exempt position and the position of first assistant came within the competitive class. An application was made to exempt the position of first assistant attorney-general for the reason of its confidential relation and for the further reason that it was not practicable to give a competitive examination for a legal position. We had several hearings upon that question and we got all the light that we could from outside and we even wrote to the secretary of the National Civil Service Reform League and we were advised that it probably was not practicable to give an examination for a legal position, at least it was not done in the East. On the hearing, the attorney-general. his deputy, the former attorney-general and several former assistant attorneys-general came before the commission, besides a large number of able lawyers from the various parts of the state, some 15 or 20 of them, I think. and they invariably said that it was not practicable to give an examination for a legal position; that you could not determine by examination the fitness of one for this position. We decided, however, after the hearing, not to exempt the position of first assistant attorney-general.

We did except the incumbent, Mr. Titus, who had held that position for some time; for what seemed to the commission sufficient public reasons required the exception of him personally. But if we had given the legal examination which we afterwards gave for the position of first deputy fire marshal I do not know that we should

have excepted Mr. Titus personally.

The law required that the first deputy fire marshal should be a lawyer. We had never given a legal examination up to that time but we decided that we would give one. One principal objection which was urged to the giving of a legal examination was this, "Why some young fellow who had come fresh from the law school who has had three years in the law school and has come glib with his definitions will pass the examination, while some old fellow who has been out in the rough and tumble of the fight for ten or fifteen or twenty years and who has forgotten his definitions will fall down." Now, it seemed to us that questions could be so framed that would be fair to the young man who had come fresh from the law school and at the same time would not be unfair to the man who had been in active practice for ten or fifteen or twenty years. While I don't set our questions up as models and while if I were preparing them again I should perhaps change them somewhat, yet we did attempt in giving the examinations to get questions which would not be unfair to the older practitioner and I think the result has justified us in the belief that we had done that. Now, what we did was this: we first prepared a preliminary paper in which we asked for information with reference to the age and where the party was educated, whether he was a graduate of a high school, normal school, of a university or college, and if so what ones, whether he was a graduate of a law school and if so what one, and if not where and when he was admitted to practice, whether he had ever briefed and argued cases in the federal courts, whether he had ever briefed and argued cases in our supreme courts and if so giving about the number and the names of the principal cases, so that we might get all the information that was possible in reference to the man and determine who theoretically ought

to receive the position. We also prepared 25 questions upon which they passed a written examination. They were marked 4 upon their preliminary paper out of a possible 10 and 6 upon the actual examination which they passed. Now, here is the strange, perhaps, and at least the satisfactory point: I was the only lawyer upon the commission and they rather insisted upon my marking the papers, and I did so, but I did not mark the preliminary papers and when I had marked them and took the markings to the secretary the preliminary papers had already been marked, and invariably, with one exception, the persons that I had marked as standing the highest and being the most fit for the positions were those whose preliminary papers had been marked as theoretically the ones who ought to stand at the head of the list. We had standing at the head of our list a man of middle age, a graduate of Madison high school, a graduate of the university law school, a man who had been county judge in one of our counties and who had briefed and argued many cases in our supreme court, a man probably 45 or 46 years of age, in the prime of life. We had standing as second on the list a municipal judge of one of the counties of the state, a man who is a graduate of our normal schools, a graduate of our Wisconsin law school, who had occupied the position of county superintendent of schools and district attorney of the county for some years and who at the present time was municipal judge, a man who had been in the practice some 10 or 12 years. We had standing third on our list a man who was a graduate of the Eau Claire high school, a graduate of the university, a graduate of the university law school, and serving his second term as district attorney of Eau Claire County. We had as standing No. 4 on our list a man perhaps 55 years of age, a graduate of the Michigan University, not a graduate of a law school, however, but an author of a text book, a man who had briefed and argued at least 50 cases in the Supreme Court of Wisconsin and had briefed and argued cases in the Supreme Court of the United States. Now those four men stood right at the head; there was very little choice between them. I venture this assertion, that you could

take those four men and put them in the attorney-gencral's office,-as attorney-general, deputy, first and second assistants,—and I believe that they would do better work than any attorney-general's force that we have ever had in the state of Wisconsin, and I have known all the attorneys-general and their assistants for the last 25 years. Now this was a position which did not pay a large salary, but if we had been giving an examination for the first assistant attorney-general I think that we should probably have had a larger number of applicants, and I have no doubt but that we could have filled all of the legal offices that were to be filled several times And I say to you that we are very much pleased with the result in Wisconsin, and if I were to pick out four lawyers in the State of Wisconsin to select for this position, I do not know where I would go and pick out four men that I would sooner have than the men who stood highest on the examination.

Mr. Bonaparte:

I hesitate a little to say anything because I have already spoken once this evening, but the subject is naturally one that interests me a good deal, and there are one or two matters connected with it about which I feel a desire to testify. In the first place, I want to say something on the question of confidential positions. Now I do not altogether agree on this point with some of the gentlemen that have preceded me. I do think that there is an element of confidence in a legal relation, extending even to the subordinates of a legal relation, which is somewhat greater than that which exists in the ordinary routine business. Moreover, I do not agree that there is less reason for that confidence, for secrecy, as it has been said, in conducting the public business of the government, the litigious public business of the government, than there is with regard to a private litigation. I must say though that that view seems to be very widely diffused. I think that most of the representatives of the newspapers think that the Attorney-General ought to conduct the litigation of the government with their advice as to everything which he does, or at all events by taking them into his confidence not only as to what he does but what he in-

tends to do at various definite or indefinite times in the future. But I do not think that if any gentleman had had the experience which I have had in the past ten months he would maintain any serious doubt that there was just as good reason for keeping to yourself the business of your client, when that client happened to be the United States, or any other political entity, as there is for keeping it to yourself when it is a private citizen. But the real point of the story is this, that for confidential positions you do not want people who are selected for political reasons; you want people who are selected through confidence on your part in their integrity and honor, and it is, to say the least, not the strongest recommendation as to a man's integrity and honor that an influential politician wishes him appointed. It may be that that is a recommendation, but there are other recommendations which are weighed. Now I think it is perfectly proper, by a proper system of examination, to obtain for subordinate legal positions, in any public office entrusted with the litigation for the public, men who represent all the guarantees of integrity which you could obtain under any circumstances unless from personal acquaintance with the individuals, and that is utterly impossible for you to have. The head of one of the departments of the government at Washington cannot, in the nature of things, know one per cent of his subordinates probably, personally, or know anything about their lives, or, at all events, not know enough about them to form any intelligent opinion as to their fitness for confidential positions, and as a matter of fact I think it will be found that persons chosen by competitive examination have proved particularly well fitted for confidential positions. They are just the class of people in general in whom one can place confidence with assurance that it will not be abused.

There is one other point that I want to say a word about, and that is as to the selection of the higher classes of subordinates; that is to say, of subordinates who are assistants, who are junior counsel to the head of an office of that description. Provided the head of his office is allowed to select his own assistants, provided the man

who has the responsibility for the success or failure in litigation is allowed to select his own assistants, without interference from outside sources or on grounds outside of the welfare of the department itself and the success of his work, and if he is of course a competent man, which was presumed in trusting him with any duty of that character, I think that he can select assistants of that character as well from the actual competition which they have had at the bar, for every practicing lawyer is undergoing, if he is in active practice at all, an actual competitive examination under circumstances where there can be little doubt as to the practical results of the test. Now if the head of the office, as I say, has a free hand in selecting his subordinates there he will be led by his own interest and the regard for the success of his work to select men who will practically do as well as if they were chosen by any other system. The difficulty is that in a great many offices of this character, partly for one reason and partly for another, the head of the office has not a free hand. Sometimes he has it under the law, but by reason of political influences—I am not now speaking particularly of my own case, of course—but by reason of political or other influences he is not able to exercise the same free choice which he otherwise would. In other cases it is limited by the law and the appointment of his assistants or their selection is placed in other hands. Now what criticism I think is to be made on that system depends on the source of the selection and the reasons for the choice and I believe that it is perfectly practicable to choose, even for those higher places, the men by a system in which competitive examination will have some part. I do not think that it could be a decisive part; but I should advise in any practical application of it to a public office, that it stop at the point where the duties become those of assistants and advisers to the head and not merely his subordinates and that from that point on the effort be to give as nearly as possible a free hand to the man who has the responsibility. In any case the power of removal, I think, ought to be unlimited. The arrangement under the present federal practice is perfectly satisfactory according to my experience in that regard. There

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Oral Examinations and Practical Tests.

CHARLES S. FOWLER, CHIEF EXAMINER NEW YORK STATE
CIVIL SERVICE COMMISSION.

The civil service examination system is in a certain sense only a negative remedy for the evils which it tries to cure. I mean this, that such a benevolent despotism is conceivable that it might be considered better and safer to leave to the despot the entire selection of public servants in minor capacities or major capacities. The civil service examination system was devised primarily to obviate certain observed evils and it has grown from a plan devised to obviate or prevent political influence in appointments and the use of public office for the promotion of personal or political ends into a machine for something a little bit broader than that. There is another difficulty in the way of the benevolent despotism and that is the difficulty of the despot knowing his constituency sufficiently well to pick out the best people for appointment. The civil service examination has therefore its positive side. We think, those of us who are intimately connected with the actual operation of the civil service examinations and civil service rules, that there are a good many cases where we discover people particularly suited for not only the lower subordinate places, but even for places of considerable responsibility, who would not otherwise have been known to the appointing officer or the appointing power at all. But the negative character which was first important in the devising of the system;—that is, the system was devised to prevent somebody from doing something that he ought not to do:-has always put it upon the defensive. The system of examinations has been an open field for criticism by public officers, spoilsmen and disappointed office seekers and for years the prevailing cry was the unpractical nature of the examination set. A whole lot of the talk on that subject was without any founda-

tion, some of it with little foundation and some of it with real foundation. There are difficulties in the way of competitive examination which although small theoretically are large practically. We are limited in trying to carry out a system of examination by the geographical feature. The United States commission has to carry its examinations all over the country so as to make them truly open competitive examinations, so that all qualified citizens may have their equal or nearly equal opportunity to demonstrate their capacity and to obtain employment in the public service, and that very fact that the examinations must be carried all over the country limits the field for tests which may be applied. In a smaller way the state commission meets the same difficulty. The city commissions at first were mainly copies of the state and federal commissions, but they were relieved from that difficulty arising from the geographical distribution of their competitors and so they have been able in some ways to work out schemes and methods which were applicable in a city but would not be applicable nearly as well to the state or to the nation. Resulting then from this state of things the competitive examination in the popular notion and to a very great extent in actual practice is nothing more or less,—or was not for many years anything more or less than a written examination upon a set of uniform questions submitted to all candidates at the same time in a large number of places under proper supervision. After some years of experience with this class of examinations which, although valuable for a great variety of positions, could not be treated as conclusive demonstrations of fitness for many positions, the first departure was the increasing weight and importance given in the rating to what we call in a general way experience, meaning by that the personal history, including age, education, previous employments, state of health and physical condition. That question was at first considered as meriting a small relative weight in comparison with a written examination, and the various commissions, some copying from the others and improving on their methods and gradually working the system out, have devised plans for getting first the candidate's own statement in detail

as to what he is, and second, the statements of those who had employed him or taught him or otherwise become acquainted with his personal history. All of this can be done on paper and all of it can be done without particular regard to the geographical limitations. The United States mail goes everywhere and pretty nearly reaches everybody. There is another difficulty in the way of written examinations being sufficient tests in that the examination is necessarily limited to a short time, usually to one day. The examinations of the colleges on which they graduate their students and give them their diplomas last over many days;—perhaps final examinations lasting over a period of several days; at any rate examinations and tests scattered all through the course. Obviously it is not possible to determine in an examination of a single day anything like the same measure of a man's capacity as is determined by such a system. So in particular for those positions requiring a special kind of experience or educational attainment greater weight was given to the personal history including education and experience. But the operation of the present law in this state brought into the classified competitive service a great many positions which were originally not contemplated by the civil service law and among them positions where a great many people could claim proper qualifications in the way of education and decent citizenship and so on, where in fact very little is required in the way of education or of the things that can be tested on paper by a written examina-There are many positions for which the great consideration, the main thing to be sought, is the personal fitness to do a sort of charity work. It is more a matter of temperament than of knowledge. And it is for these positions where what we call personality is of great importance, that the oral examination, so called, comes into particular importance. Now the oral examination as we have carried it out in a few instances and as it might be applied in many more instances, does not mean a set of questions as to the knowledge of the candidate; it does not mean particularly a lot of questioning about his previous history, although a little more intimate knowledge of that can be gained by an oral examination than by a

written examination; but it does mean a questioning by a board of competent examiners familiar with the needs of the position in question, designed to bring out the intimate personal peculiarities of the candidates. A case in point which I have described many times but possibly not to many of you arose with regard to an institution recently established in this state, or rather, recently changed in its character, the institution for delinquent boys, Industrial School, at it is called, formerly in the city of Rochester and now established on a farm of some 1,400 acres outside of Rochester. At that institution, a plan, so far as I know, new in this country, was carried out, namely, the cottage plan, with the boys colonized in small enough colonies so that they could be taken care of by two officers, a man and his wife. The cottage or colony plan has been tried before, but with larger colonies, so that several officers were required. In this case the plan was to have the colonies small enough—22 being the maximum number-so that two officers, a man and his wife, could give the necessary discipline and instruction in the colony, barring certain school instruction from other sources; and it fell to the state civil service commission of this state to furnish the combination of man and wife for about 30 or 35 of these colonies. How much difference would it make what kind of a written examination on scholastic subjects those people could pass? They of course must have a certain knowledge of farming and farmhouse keeping, sufficient to carry on this colony and instruct these boys in the duties connected with that work, but that is quite difficult to test from written examinations. As a matter of primary plan we worked the thing out in this way: We got a detailed personal statement from a man and his wife as to their education and previous history; we investigated their reputation as known to their neighbors, to whom they referred in their applications, and then we organized an examining board consisting of the superintendent and one of the managers of the institution and myself as chief examiner and we interviewed these people couple by couple, with a result that we placed upon an eligible list in order of percentage of some 20 names. We have done that three

times. This plan was worked out in opposition to the request of the managers of the institution and the superintendent, who thought that nothing of the kind was feasible, but after the first list was made up I was told not only by the superintendent but by several of the managers in practically these words, their judgment of our success. They said: "You have found numbers of excellent people whom we would never have discovered." And I think to-day, after three trials of that examination, that no one of the authorities of the institution would think of going back to free selection on their part.

We made a stenographic record of the oral examination, but so far as I know the oral examination was never referred to except by the superintendent to refresh his memory as to who the candidates were. In other words, it was not the answers to the questions that we rated on, but it was the personality developed in the talk of the

candidates.

Mr. Sprague: On what basis did you mark them?
Mr. Fowler: Well, we marked them on the scale of 100.

MR. SPRAGUE: Well, just as it occurred to you at

the time, each particular instance?

MR. FOWLER: Yes. Then after we had got our list of 25 together we went carefully over the whole lot to see that we had done justice in all the cases. There were five elements entering into the rating. The first was the personal history as developed in the written papers of the man; the second, that of his wife; the third, the replies to letters of inquiry which the commission sent out; and the fourth and fifth were the personality ratings of the man and his wife respectively,—those five items being given equal weight in arriving at the marking, each being marked on the scale of 100. Now that plan of examination is diametrically opposed to one of the original fundamental principles of examination which everybody was supposed to hold, namely, that the identity of the applicant must not be known to the examiner. But how much can you tell about the qualifications of a man for a place where personality counts for anything without knowing who he is? It is the demand on civil service commissions for filling places where personality is pernaps the main consideration that has compelled the departure from the ancient principle and the adoption of this kind of methods.

This system, however, has its difficulties. It is impracticable for this examining board to sit in as many places in the state as we should naturally, ordinarily, hold written examinations, with a result that candidates are put to some inconvenience to come and meet the examining board. It is difficult sometimes to assemble an examining board whose knowledge of the requirements and interest in them and whose interest in obtaining the very best is sufficient to be depended on for the examination, and so the application of this plan of examination, although theoretically it might be very wide, has practically to be limited to a certain class of positions where it is most important. It would be difficult probably for the United States commission to carry out such a plan at all, because the success depends upon having the same examining board see all the candidates and that is only possible within narrow geographical limits.

Now a word as to practical tests in examinations. They are under development along the same line. by practical tests I mean and I think we all mean the setting of the candidate to do some pieces, greater or less, of the actual work which he will have to do if appointed to the position. Trades examinations for labor positions as carried out by the municipal commission in New York city are a fair example. Candidates for positions in the mechanical trades are sent to the trade school and there required to do certain set pieces of work, and are marked as either efficient or not efficient, "passed" or "not passed," upon that test. Some similar applications have been made in some of our cities in the matter of drivers of automobiles and drivers of fire wagons and so on, but it seems to me that in a few of those cases there has possibly been too great a development of the detail of that kind of system. That is, that the work has been carried rather to an absurdity. But Mr. Davidson. who will talk after me, is more familiar with the municipal situation. Bear in mind, however, the limitation of a good many of these departures from the original conception of a written examination on account of the geographical problem. You can do certain things within a city that you cannot do over the entire state, and again you can do certain things within in the state that you cannot do over the entire nation. Also bear in mind the difficulty in a written examination, for instance, for a technical place, of covering the entire field and the difficulty of giving in one day a test of all a man has learned in a lifetime. If the system of civil service examinations fails to get results which can always be depended upon, these are some of the difficulties that we have to deal with.

DISCUSSION.

Hon. George G. Davidson, Jr., of the Buffalo Civil Service Commission.

The length of this meeting reminds me of a story which will take but a minute to tell. A small boy was out to dine and after he had eaten very heartily of a great many things he was asked if he wouldn't have something more to eat. He replied "No, thank you, I have had too much enough." There was a general laugh at the small boy's expense and he thought it was up to him to say something more, and he said, "I didn't mean that," he said, "I mean I have had more than I didn't want." Now, if I should make any very extended remarks on this subject I think you would be in the position of that small boy.

The Buffalo civil service commission has made extensive use of practical examinations or practical tests. They have been applied in a great many different kinds of examinations. I will only take up one or two of those. They have been used in engineering examinations, for instance, rod men have been given a rod and the target fixed at a certain place and they have been asked to give the reading of various kinds of rods; they have been asked to set up the transit and it has been set at different angles and they have been asked to read the angles on the transit. We have had practical examinations for

drivers in the police department and in the fire department where the men get on the seats of one of the fire department wagons and drive over a certain course, go into the stables, clean the horse and harness him. This is accompanied by a certain written examination. We have had practical examinations for stenographers and a great many of the mechanical or skilled labor positions.

One of the most interesting was an examination for steam firemen conducted at the plant of the Washburn-Crosby Company on the water-front. I believe there were about 30 applicants and these men were set to work firing the boilers. There was a large number of boilers. The men were directed to bring the steam up to a certain pressure and to keep it there. Some of the men would keep it an an even temperature, others would allow the temperature to drop, then rise again. There was one man in that examination who had learned something about the work of a steam fireman in a correspondence school and he was well posted and very ready with his answers, but one of the firemen who belonged at that plant who happened to look in the door when it was open, said, "Look at that. Why, that looks like a hay stack," and the steam pressure was changing up and down constantly. On the other hand there was a man who had been firing for a great many years who had had no schooling at all, he could probably do nothing more than write his name, but he had had charge of that sort of work in fresh and salt water, on land and on the ocean. knew how to repair a boiler, to clean it, to take care of it in every particular, and he kept the pressure at an even point all through his test.

Now, as Mr. Fowler said, a practical examination or a practical test should give the candidate a chance to do the precise thing which he is expected to do in the position which he seeks. We had another examination for steam firemen on the fire tugs which was practical to the last degree. The men were not only required to do the precise work of the position which they sought but they did it in the very place where they were to do it if they occupied the position. The applicants were taken down on the fire tugs and put to work firing the boilers to get

a certain pressure necessary to take these fire tugs out to the breakwater; when they reached the breakwater the fire tug was tied up there and then they were instructed to put on all pressure so that the fire hose could be played. Well, those fire tugs have some 12 or 15 nozzles and it requires a great deal of pressure. Those men were put through exactly the kind of work which they would do if they occupied those positions. In fact they were practically doing a day's work or half a day's work in that particular position. Now, in that test the men were doing the precise work of the position and in exactly the same place and under the same conditions in which they would be required to do it and it was a very easy matter to judge of their qualifications. There was no written examination in that case and no other test whatever. I talked with some members of the commission before coming here as to practical tests which they had conducted and I got a very interesting list of them. I was quite surprised at the large number, but on account of the lateness of the hour I will not try to go into them at all. But it is a subject which is of very great interest to the members of the commission and I think the nearer that the commission can keep to practical tests the nearer they will be to the ideal form of examination.

The Situation in Philadelphia.

FULLERTON L. WALDO, SECRETARY OF THE PENNSYLVANIA
CIVIL SERVICE REFORM ASSOCIATION.

That stormy petrel of English politics, Lord Randolph Churchill, speaking before a Birmingham constituency against the corporation of the city in 1884, said: "Every one of their employees knows that he holds his office, his position, his employment, upon the distinct understanding that in all political and municipal matters he must blindly submit himself; and upon the slightest sign of independence—to say nothing of opposition—he will lose his employment; he will be thrown upon the world with all his family, even if it should lead to his ruin or his starvation."

What Lord Randolph Churchill said of the corporation of Birmingham in 1884 is literally true of the "organization" government in Philadelphia in 1907. Every city employee knows what is expected of him, and understands that disobedience spells ruin.

The trouble in Philadelphia is, that the administration of the law is in the hands of men who are no friends of it. When they do not actively connive to violate the law. they wink at its non-enforcement. In 1905 when Rolla Dance was secretary of the civil service board, a patrolman was certified for appointment who had been five times arrested for drunkeness and once sentenced to two years in prison for assault with intent to kill. administration of the civil service provisions of the Bullitt Bill at that time was a farce; at present, with the commission appointed by Mayor Reyburn, it has been elevated to the dignity of a comedy. There was a period in between when the civil service law was honestly and capably administered, by men who not only believed in it but know something about it. Mr. Frank M. Riter and Mr. Foss and Mr. Sanders were intelligently faithful

to their trust. In the transactions of the board of which Rolla Dance was secretary, the public had no confidence whatever. In nine months of his administration only nineteen hundred persons appeared to take civil service examinations; in nine months of the Riter-Foss regime. fifty-five hundred persons submitted to the ordeal. And as to promotion-examinations the case is similar. Rolla Dance to mete out justice, in February, 1905, twelve patrolmen took the examination for promotion to sergeant; in April ten men appeared. In the following September, with Mr. Riter in charge, 148 men took the promotion examination, and in March, 1906, 152. difference concretely illustrates the change in the attitude of the public from a suspicious timorousness under the old regime of exclusive and impenetrable secrecy, to an enthusiastic confidence in the freedom and fairness of the examinations as conducted by Mr. Riter and Mr. Foss. There has been a retrograde swing of the pendulum recently: the city has lost the services of the two men who put 8,300 city positions on a proper civil service basis, and kept them there. Mayor Weaver violated a pledge to get rid of one of them; Mayor Reyburn has effected a political removal of the other. The commissioners at the present moment are men who are more amenable to political influences. They have reverted to Rolla Dance's policy. The "books of the firm" are not open to inspection. The public is shut out from what goes on in the office. Although the act of March 5, 1906, specifically provides that the records of the commission. shall, subject to reasonable regulation, be open to public: inspection, the present commissioners have construed the act so unreasonably as to hold that, under the act, any and all persons may be, and hereby are, excluded from access to their archives. In consequence, the Reform Association has had to bring mandamus proceedings, that its secretary may see the written entries with regard to appointments and discharges.

Ex-Governor Pennypacker in a speech before the Philobiblon Club the other day, said that the Shern Act, signed by him February 15, 1906, "forever puts it out of

the power of a public official to abuse the authority entrusted to him." It might have this effect, if it could be enforced. At present, however, in the city of Philadelphia, the politicians are encouraging their followers to regard the Shern Act, with its prohibition of political activity on the part of office-holders, as a page of dead and forgotten legislation. Mayor Reyburn, we are told, a few weeks ago advised a ward leader who brought him a copy of the act, to crumple it up and throw it in the waste basket and not "bother" about it further. "I suppose," said the Mayor, "that the employees of the city know what the law is, and I suppose they will obey it."

In the Department of Public Works on August 29, Director Stearns called for the resignation of over one hundred persons, the working corps of two entire bureaus, that he might discharge them at pleasure without falling foul of the civil service regulation which provides that specific reason shall be rendered for dismissal. In the Department of Public Safety, Director Clay continues to discharge civil service appointees "for the good of the service" and to reinstate the so-called "martyrs of 1905," followers of the "gang" who were dismissed by Mayor Weaver during the reform upheaval. To the representations of the Civil Service Reform Association no answer is returned, and of the director's high-handed actions no explanation is vouchsafed. The administration is a law unto itself.

In September, 1902, Willam R. Knight, Jr., by means of worse than prize-ring tactics broke up a convention of the so-called Union Party at Musical Fund Hall in Philadelphia. As his reward, the Republican organization of Philadelphia secured for Knight the appointment as Shipping Commissioner of the Port of Philadelphia. From this office, as you have learned in the annual report submitted for the Pennsylvania Association by Mr. Burnham, he was last August removed for pernicious political activity. In the hearing before Commissoner Greene, Knight defiantly asserted his right to do as he pleased in the way of partisan politics, outside of office hours. "If Roosevelt and Taft can go around the country electioneering in their own behalf, I don't see why I, Bill Knight,

can't play my own humble part in politics here in Phila-I always have been active in politics and I always intend to be. Somebody's got to do this work. It was men like me that elected Roosevelt." After Knight was removed by the Secretary of the Department of Commerce and Labor, Mayor Reyburn publicly declared, "We've got to find Bill Knight a job. The butcher and the baker and the iceman are coming around, and he needs the money." Whereupon the discredited federal official was given a four thousand dollar position under the city, with large possiblities in the way of distribution of patronage, whenever the spirit or the letter of the civil service act can be circumvented. I need not add that Knight not merely takes but makes frequent occasion to denounce the civil service system, and to laud, magnify, and honor the ward politician as among the greatest benefactors of the race.

The case of the Civil Service Reform Association vs. the present administration of the city government in Philadelphia has little to offer in the way of novel phases for the student of civil service reform. It is the same old mean and miserable story of a corrupt political organization allowed by the negligence and indifference of the cultured minority to achieve an ascendency over the ignorant majority of citizens. The social ostracism of the political leaders of Philadelphia,—the fact that a great gulf of social cleavage yawns between Rittenhouse Square and West Logan Square,—is not going to affect Philadelphian's civic regeneration. The "organization" rejoices when, as occasionally happens, it wins over to its ranks a reputable person, just as the monkey-people in Kipling's story made merry over the capture of the man-cub Mowgli. But in the main the "gang" is content to let the better element of Philadelphia run the Browning Society and the Philadelphia Orchestra and the Pennsylvania Academy of Fine Arts, if only it may run the City Hall. They care not who makes the songs of the people, if only they may make the laws, and appoint the office-holders.

It is scarcely worth while, perhaps, to collate the expressions of the Mayor which indicate the present temper of the administration toward civil service statutes. His, views are not always expressed with Addisonian elegance: his literary model may have been Bill Devery. "Those civil service rules give me a pain every time I look at them." "We intend to obey the law, but we will not do any more than we have to." "They have an eligible list up there, but I would like to wipe it all out." Not until he had held office three months, we are told, did Mayor Reyburn read the civil service act of March 5. 1006, and then he said, "It made me very sleepy before I got half-way through with it." But what the Mayor has to say anent the civil service law, and the rules framed thereunder or thereover, is not so significant as what he does. It is his avowed intention to defeat the real purposes of the act by setting aside the eligible list whenever possible. Under the proviso that there shall be exemption from examination in certain cases where expert technical qualifications are demanded, it is apparently the Mayor's intention to secure the appointment not merely of bureau heads, but of ordinary inspectors whose chief qualifications for office would appear to be their activity in ward politics. The more important appointments are invariably made after consultation with one or more of the quintet of contractor-politicians who are, as they say in Philadelphia, "in cahoots" to dominate affairs at the City Hall and to share the proceeds. The Mayor is merely one more example of a man put in office by a political organization, frankly acknowledging his indebtedness to that organization, and openly conceding that it is his intention to comply with their desires in making; appointments which he calls his own. They have a political anthem which has been set to music for the brass. band and which is sung on great political occasions, such as a dinner to a newly appointed Assistant Director. The: words of the anthem are: "Hail, hail, the gang's all here: What the hell do we care?"— Such, ladies and gentlemen, is the political situation at present in Philadelphia.

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Prospects for Civil Service Reform in Michigan.

HON. JOHN A. FAIRLIE.

What I have to say will come as a decided anti-climax to the much more interesting and exciting address to which you have just been listening, for two reasons: On the one hand, political conditions in Michigan have not reached so low a state of depravity as to call forth the picturesque language of the gentleman from Philadelphia. On the other hand, and perhaps because existing conditions are tolerable, there is no urgent demand for civil service reform, and the prospects for the near future are not encouraging. But the informal remarks I have to make will at least have the merit of brevity, and will not detain you long at this late hour.

There have been a few efforts to secure civil service laws in Michigan, most of them for the city of Detroit. The first of these seems to have been in 1899—before I was a resident of Michigan—when a bill to apply the merit system in Detroit, similar to the law in force in Chicago, was introduced by one of the local representatives, David E. Heineman. But this measure had no organized support, and was not seriously considered.

At the next session of the legislature, in 1901, Representative J. E. Bland, of Detroit, introduced, at the request of the Detroit Municipal League, another and less drastic measure, including some features of the Massachusetts law. This bill was referred to a committee and discussed to some extent. But this legislature was notorious for the passage of a series of "ripper bills," reorganizing the city government of Detroit for purely political purposes; and no reform measure could be expected from a body subject to the influences which secured the passage of these bills.

At the election two years later, the Detroit Municipal

League made the question of civil service reform one of the local issues, by asking candidates for the legislature and the common council their position on the subject. After election, another bill was prepared, recommended by the council committee on charter (of which former Representative Heineman was then chairman, and endorsed by the common council. The local delegation in the legislature also voted to support the measure, to which had been added a referendum clause; and under these circumstances there seemed to be some prospects of success. The bill passed the house of representatives in the closing days of the session; but it did not commend itself to the more cautious senate, which has stood in the way of many other measures of reform in Michigan.

At the next election the question was again made a local issue, and in the legislature of 1905 another bill was introduced and at the very end of the session was finally passed by both houses. But the bill as introduced was quietly amended before passage, so as to require the appointing officer always to select the person standing highest on any eligible list. This feature was objected to, and on this ground the Governor vetoed the bill. There seemed ground to suspect that the amend ment was inserted in the bill simply for the purposes of

having an excuse to have the bill killed.

Once more, in 1906, the Detroit candidates for the legislature pledged themselves in favor of a civil service reform law: and at the legislative session of 1907, a number of bills were prepared. In the senate there was introduced by Senator Bland of Detroit a bill providing for the merit system applied to all appointments and promotions in the civil services of the state, cities and counties, under the supervision of a state commission. This bill followed largely the views of the National Civil Service Reform League as represented in a bill then before the New Jersey legislature. It did not, however, make any progress toward passage.

In the house two bills for the city of Detroit were introduced. One was the measure prepared under the direction of the Detroit Municipal League and endorsed by that body, providing in considerable detail for the or-

ganization of a local commission and presenting its powers and duties. The other was a brief measure authorizing the common council by ordinance to establish the merit system, and was urged as being more consonant with the demand for home rule than the more detailed measure. Here again there seems ground to suspect that the two proposals were presented for the sake of preventing any action; and at any rate it had that result. The Detroit delegation was divided in its support of the two measures, and under these circumstances the passage of either was impossible.

Throughout the state as a whole, there seems apparent no strong demand for this reform. The state is so strongly controlled by one political party that wholesale removals for political reasons are not frequent; and while incompetent persons are often appointed, and still more often political considerations have the most weight in determining the selection, the subordinate service of the state has on the whole a tolerable stable tenure. There is indeed some complaint on the part of younger political workers that the old employees are too firmly entrenched. In some local districts changes for political reasons are more frequent, and under the decentralized system of administration there seems to be greater need for an improvement in these districts.

In the summer of 1906 an effort was made to organize a state civil service reform association. But although a considerable number of persons indicated their interest in the matter, the movement did not make enough headway to result in the formation of any organization. The active workers for political reform in Michigan have turned their attention to such questions as the initiative and referendum, which seems to offer better prospect of popular support, but which seem to me too radical and a far from proven success as a means of securing better government.

During the present year a convention is in session to revise the constitution of Michigan, and this gives opportunity to insert in the fundamental law a general statement of the fundamental principles of the merit system. In an article discussing some suggested changes in the

constitution, written last spring, I called attention to the provision on the subject in the New York constitution, and urged the importance of action being taken to bring Michigan in line with the movement that now includes the states of Massachusetts, New York, Wisconsin and Illinois.

In the convention, of which I have the honor to be a member, I have introduced during the present week a proposal for a section in the constitution substantially similar to that in the Constitution of New York. This

proposal is worded as follows:-

"All positions in the administrative of this state and of its civil divisions (including cities and counties), shall be held only by persons qualified and competent to perform the duties thereof. Laws shall be enacted to provide practical methods for ascertaining the qualification and fitness of candidates for appointment and promotion, without reference to political or religious considerations; and so far as practicable such qualifications shall be dedetermined by competitive examinations."

What prospect of success there is for this or any similar provision it is too early to say. The convention is composed in the main of a much more intelligent and more serious body of men than have been the Michigan legislatures; and a large proportion of its members are not interested in the scramble of political workers for petty offices and employments. But, on the other hand the general lack of interest and absence of discussion over this question characterizes the convention and at this early stage in its work no definite promise of success can be given.

ORGANIZATION

OF THE

National Civil Service Reform League.

CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of civil service reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such Association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

With the approval of the Council the Secretary may organize Correspondence Committees, of not less than three members, for the promotion of the work of the League in localities where there is no Civil Service Reform Association;

the members of such Committees shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be

chosen, and may be removed, by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be ex-officio members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

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ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

ARTICLE, VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

- § 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.
- § 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.
- § 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.
- § 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.
- § 5. The order of business at each meeting of the Council shall be:
 - The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

- 2. The admission of new Associations.
- 3. Statement of the Treasurer.
- 4. Report from the office of the Secretary.
- 5. Reports of Standing Committees.

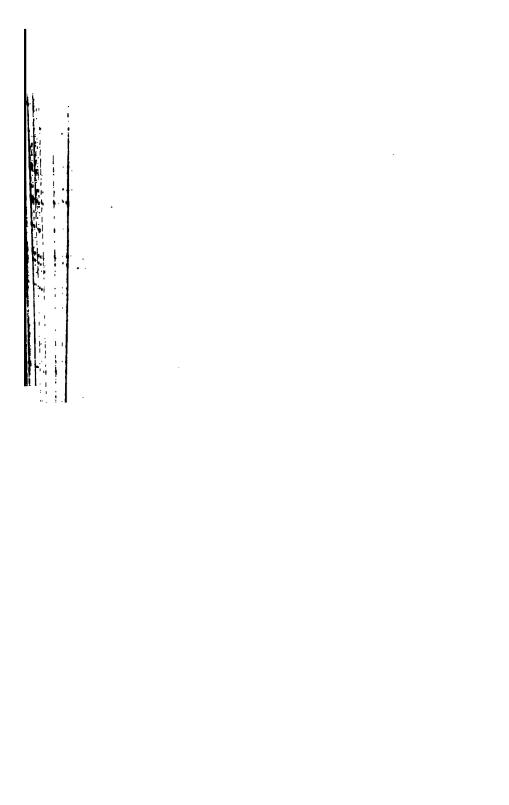
- 6. Reports of Special Committees.
- 7. Miscellaneous business.
- § 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:
- (1) A Committee on Finance, to consist of not less than nine members;
- (2) A Committee on Publication, to consist of at least three members; and, ex-officio, the Secretary and the President of the League; and
- (3) A Committee on Law, to consist of at least four mem bers, and, ex-officio, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occuring in any one of them may be filled by the Chairman of the Council.

- § 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:
- (1) A Committee on Nominations, to consist of six members and, ex-officio, the Chairman of the Council.
- (2) A Committee on Resolutions, to consist of six members, and, ex-officio, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

- (3) A Committee on Report and Programme, to consist of two members, and, ex-officio, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.
- § 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.





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PROCEEDINGS

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AT THE ANNUAL MEETING DE

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The National Civil Service Reform League

HBLD AT

BUFFALO, NEW YORK, NOV. 7 AND 8, 1907

WITH THE REPORTS AND PAPERS READ

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